



Title	An analysis of the need for columbaria facilities in Hong Kong : a policy tools approach to public action
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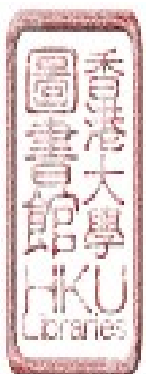
**AN ANALYSIS OF THE NEED FOR
COLUMBARIA FACILITIES IN HONG KONG:
A POLICY TOOLS APPROACH
TO PUBLIC ACTION**

BY

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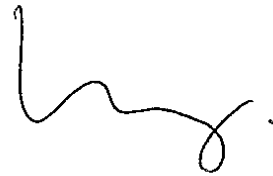
Capstone project report submitted in partial fulfillment
of the requirements
of the Master of Public Administration
Department of Politics and Public Administration
The University of Hong Kong

August 2013



DECLARATION

I declare that this Capstone Project Report, entitled “An Analysis of the Need for Columbaria Facilities in Hong Kong: A Policy Tools Approach to Public Action”, represents our own work, except where due acknowledgement is made, and that it has not been previously included in a thesis, dissertation or report submitted to this University or any other institution for a degree, diploma or other qualification.



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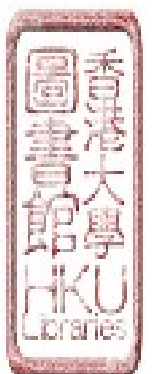
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I would like to express my heartfelt gratitude to my teammates for their unfailing support and understanding during the project. Given the distanced guidance, your full backing gives me strengths to overcome all hard time throughout the entire process and allows us to cross all hurdles to complete the project. I will never forget our sharing of ideas, ups and downs as well as loves and tears in the past two years. Appreciation dedicated to Professor Ian Thynne for his general advice in inspiring us to further explore the direction of the project. I would like to extend our deepest gratitude, on behalf of my group mates, to our beloved partners, family members, friends and colleagues, fellow students and anyone else who have given us a hand during our pursuit of the Master of Public Administration. Without their encouragement and patience while we were dedicated for intellectual enlightenment, we would not be able to obtain such fruitful and life-long achievement.

Tommy Fan

on behalf of the group

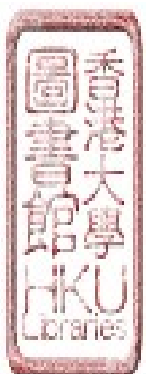
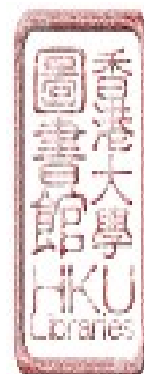


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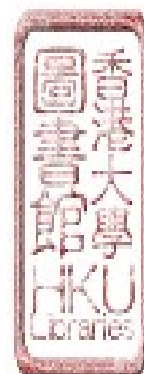
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ABSTRACT

While cremation and land burial are the prevailing and the most accepted ways of handling human remains in Hong Kong, the shortage of columbaria in Hong Kong has gradually become an imminent problem. Though there has not been an individual and dedicated body or Government department to look after the funeral and burial arrangement in a holistic manner, FEHD and its policy bureau, FHB which is only regarded as a policy coordinator, has adopted myriads of measures in solving the problem including building new columbaria, improving current columbarium facilities and regulating private columbaria, etc. Despite their continuous efforts, the problem persists. It is apparent that the existing measures may not be enough, if not ineffective and inappropriate, to deal with the columbarium shortage problem. The project aims to analyze the policy choices currently adopted by the Government through policy-tool approach and by comparing with other countries to see what else can be done and to make recommendations to the Government to tackle the problem.

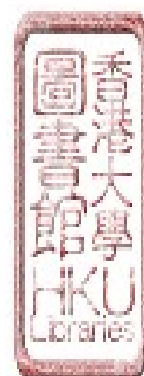
A policy-tool approach is used throughout the project as analytic lens to look at the problem. There are various kinds of categorizations of policy tools by different scholars. Among all, Elmore's categorization of tools as mandate, inducement, capacity building and system-changing is rather comprehensive. Our team has; however, also identified the interlocking relationship between different categorizations and thus Elmore's framework has been adopted as the backbone of the project with an integrated and multi-dimensional framework for analysis.



Looking at our neighbouring countries like Singapore and Taiwan, they are facing similar challenges. Not only the similarities of these three countries will be set out, the effective and distinctive policy choices adopted by Singapore and Taiwan will also be highlighted.

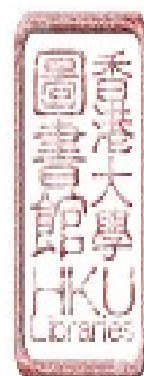
The three prime and fundamental ways in addressing the problem of columbarium shortage are acquiring new columbaria, working on the existing one and shifting to alternative means. Policy combinations between these three main strategies and the categorization of our analytical framework that have yet been thoroughly considered by the Hong Kong Government will be set out in the recommendations' part. Distinctive and effective measures adopted by Singapore and Taiwan will also be fit into our framework.

Coupled with a series of factors like scarce land resources, bloomed population and aging population, the existing columbarium policies can no longer satisfy today's needs. The Government should start tidying up their policy options in hands with an organized and integrated framework and by making reference to other countries' successful policies. Meanwhile, when suitable policy options are identified, prompt execution should be taken to relieve the heated problem.



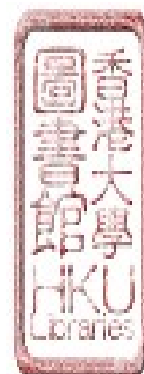
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LIST OF ABBREVIATIONS

AA	Airport Authority
BD	Buildings Department
BMCP	The Board of Management of the Chinese Permanent Cemeteries
CBS	Crypt Burial System
CEO	Chief Executive Officer
DC	District Council
DCA	Department of Civil Affairs
DEVB	Development Bureau
FEHD	Food and Environmental Hygiene Department
FHB	Food and Health Bureau
FSD	Fire Services Department
GoR	Garden of Remembrance
HA	Hospital Authority
HAD	Home Affairs Department
HKSAR	Hong Kong Special Administrative Region
IMS	Internet Memorial Service
LandsD	Lands Department
LegCo	Legislative Council
NEA	National Environmental Agency
NGO	Non-governmental Organisation
NIMBY	Not In My Back Yard
PlanD	Planning Department
RSD	Regional Services Department
RTHK	Radio Television Hong Kong
TPB	Town Planning Board
URA	Urban Renewal Authority
USD	Urban Services Department
WKCD	West Kowloon Cultural District Authority



Chapter 1

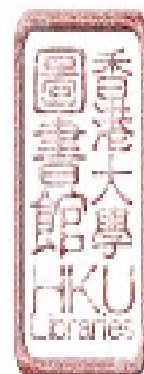
INTRODUCTION

Focus, Objective and Background of the Project

This project addresses the shortage of columbarium facilities in Hong Kong. The objective is to assess the columbarium policy formulated by the Government from the past until recently based on a policy tools approach. The experience of selected Asian countries namely Taiwan and Singapore are studied so as to give recommendations for the Hong Kong SAR Government to tackle the problem.

The project recognizes that, when someone in our family died, we need to handle the funeral and burial arrangement. The burial arrangement should ensure that family, relatives and friends can pay respect to the deceased after. It is an important matter which needs to be handled with care. In Hong Kong, the cemeteries and crematoria services are provided and managed by the Food and Environmental Hygiene Department (FEHD). Traditionally, Chinese people preferred burial than cremation. Land bury had been the primary means of burial arrangement in Hong Kong for decades. Nevertheless, the Government started to advocate a shift of majority means of burial arrangement from traditional land burial to cremation in 1970s, in view of the saturation of land available for bury.

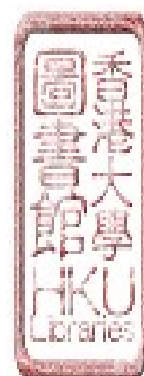
After the Government's propaganda on switching of burial arrangement from traditional burial to cremation, the number and percentage of cremations had risen substantially. In 1975, there were 7,300 cases of cremation which



was about 35% of the overall number. In 2009, there were 36,500 cases which accounted for 89% of the total (FHB, 2010). It is now a common practice to store the cremains in columbarium facilities. With the rising trend of cremation, there is a high demand for columbarium facilities. As the quantity supplied is less than the quantity demanded, there is a shortage of columbarium facilities in Hong Kong. This project addresses the problem of the shortage of columbarium facilities in Hong Kong.

The issue of columbaria is especially significant in that, with an aging population in Hong Kong, the number of deaths has been rising gradually. It is projected that the annual number of deaths will increase steadily from 43,700 in 2010 to 52,800 in 2020. There is obviously a rising demand for columbaria facilities which is not matched by the supply. In Hong Kong, there are a total of eight public columbaria managed by the FEHD providing some 167,900 public niches as at 2011, all of which have been allotted. Some 200 re-used public niches are available every year for allotment to applicants on the waiting lists. The waiting period is normally two years or above (FHB, 2010).

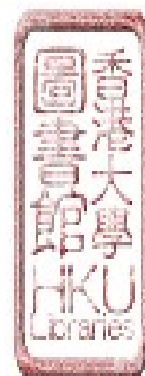
Apart from public columbaria, there are 14 columbaria situated within private cemeteries operated by religious or ethnic organizations for non-profit making purposes. Among them, the Board of Management of the Chinese Permanent Cemeteries (BMCP) manages four cemeteries with columbaria providing about 208,700 niches, all of which have been allotted. Other cemeteries managed by Catholic, Protestant, Buddhist and other religious bodies provide about 119,300 niches altogether, in which some 35,400 are not



yet allotted (FHB, 2010).

From the year 2000-2009, niches provided by the Government accounted for about 14% of cremations or 40% if BMCPC is included. As there has been a serious shortage of public niches, Hong Kong people have no choice but to turn to the private columbarium market to house their ancestors. An increasing demand has thus raised the prices of private niches. While costs of public niches range from \$2,890 to \$4,295, prices paid to private operators can reach HK\$200,000 or even higher. Unscrupulous businessmen take advantage of this opportunity to set up private columbaria to make a profit. Hence, private columbaria proliferate, however, many of which are not authorized.

According to the list published by the Development Bureau on 31 December 2012, there are 31 private columbaria compliant with user restrictions in the land leases and the statutory town planning requirements and are not illegally occupying Government land. Yet there are 87 private practitioners identified by the Administration but not having the requirements fulfilled (Development Bureau, 2012). The actual number of illicit private columbaria should be many more as they have not been made known to the Government. The proliferation of private columbaria has generated concerns including building and fire safety, pollution, and the psychological impact on the residents living nearby, etc. The Planning department has received 177 complaints involving 40 cases against private columbaria from 2009 to 2011 (FHB, 2011).



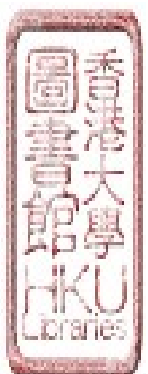
The Government had realized the seriousness of the problem and had paid effort in resolving the problem. On 6 July 2010, the Food and Health Bureau (FHB) launched a public consultation on review of columbarium policy which lasted for about three months. In December 2011, the FHB launched another consultation exercise on licensing scheme for private columbaria. Despite the continuous effort of the Government, supply of niches and regulation of private columbaria remain the concerns of Hong Kong citizens.

Research Questions and Related Propositions: Theory and Practice

Four interrelated research questions are addressed:

- What range of policy tools can a government adopt in response to the need for important public facilities such as columbaria?
- Which particular policy tools has the HKSAR Government adopted in relation to columbarium facilities?
- Why has the Government adopted these policy tools?
- What other policy tools could be adopted by the Government drawing on the experience of other Asian countries?

A government can adopt a wide range of policy tools to cater for the need for important facilities, for instance, to impose strict regulation, to provide incentives, to build up the capacity of the citizens and to transform the system of operation, to name but a few. The policy tools can be categorized into mandates, inducements, capacity building, and system-changing. The

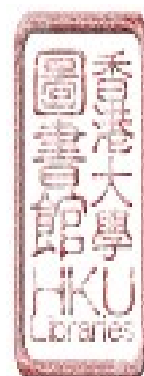


HKSAR Government has mainly adopted mandates and inducements in relation to columbarium facilities by trying to increase the supply of columbaria and providing alternative ways of disposing cremains at lower cost. These two tools may be more direct and effective in view of the urgency of the columbarium shortage problem. Yet the Government may learn from other countries' experience especially on using capacity building and system-changing policy tools in response to the need for columbaria.

Overview of the Analytical Framework

Public policies are designed to solve certain social problems. They comprise a set of policy tools and each tool has its unique features, requirements, advantages and disadvantages. As the prime elements of public policies, policy tools are means or arrangements that define how public programmes are to be structured and managed. In view of this, a policy tools approach is adopted in this project to study and identify the characteristics of different tools and the elements which determine the Government's choice of packages of tools in the public policy process.

There are various categorizations of policy tools by different scholars. For instance, the “carrots, sticks and sermons” categorization developed by Vedung or the four types of policy tools namely, direct government and institution, social regulation and ideas, interests and tax expenditures and individuals and regulation as proposed by Peters (2011). Among all, Elmore (1987) proposed a comprehensive categorization of another four types of policy tools which are (i) mandates, (ii) inducements, (iii) capacity building,



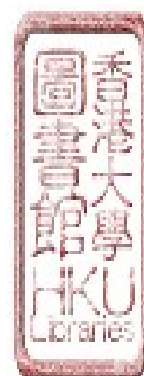
and (iv) system-changing. This categorization is used as the foundation of the analytical framework of the project.

After categorizing the columbarium policy into the aforementioned policy tool for analysis, a clear picture on how the Government has addressed the problem of columbaria shortage using different policy tools would be formed. Better alternatives on relieving measures could also be identified when compared with those adopted in other countries.

Research Methodology

The research is primarily a desktop research based on the information and data released by the HKSAR Government, the Legislative Council (LegCo) including official documents, reports, and statistics. Besides, newspaper clippings, publications from think tanks and research institutes would also be taken into consideration. Textbook references and literatures would be studied in order to formulate the analytical framework. With all the information, a thorough analysis would be conducted to assess the research questions listed above. Under different policy tool perspective, a clear picture of the measures taken by the Government over the years can be formed. The effectiveness of the measures can then be analyzed. Other Asian countries' experience in handling columbarium shortage and regulation would also be looked into so as to draw the recommendation that can be adopted by the HKSAR Government in the future.

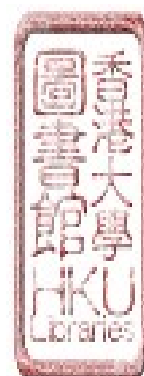
The desktop research approach is appropriate to the project because the



LegCo had done an extensive research on columbarium policy. There are lots of LegCo documents, media reports and publications from Think Tanks and Research Institutes regarding columbarium policy available. Besides, the information of the columbarium policy in Taiwan and Singapore is also easily available on the internet.

Chapter Outline

The project consists of five chapters. This chapter, Chapter 1, is an introduction that provides a general background and situation of the topic, an overview of the analytical framework and the methodology of the study. Chapter 2 provides an analytical framework of the study and four policy tools would be introduced to form the analytical framework. Chapter 3 analyses the history of cemetery arrangement and the development of columbarium facilities in Hong Kong since the early era. Chapter 4 examines the policies adopted by the HKSAR Government under the perspective of each policy tool. In the second part of Chapter 4, the columbarium policies of Taiwan and Singapore would be compared with that in Hong Kong with the significant features of these countries' experience being highlighted. The last chapter, Chapter 5, is the conclusion in which potential policy tools to be adopted by the HKSAR Government are recommended based on the analysis in Chapter 4. The recommendations are hoped to help resolve the shortage of columbarium facilities in Hong Kong.



Chapter 2

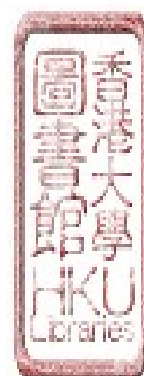
ANALYTICAL FRAMEWORK

Introduction

Given a matrix of choices that policymakers have to face in designing appropriate policy tools to resolve social problem, it is easy to recognize the limitation in relying on a single policy approach for analysis. In order to fully understand the complexity of columbarium policy in the local context, a multi-dimensional package of policy tools is necessary for the study. Several classical classifications of policy tools based on different dimensions are available in the literature. Despite the different anchor points stressed by different scholars, their key features are indeed interrelated as well as mutually supportive. An interlocking analytical framework will hence be formulated in the following paragraphs as an analytical lens to facilitate our study of columbarium policy designed and implemented by the Hong Kong Government.

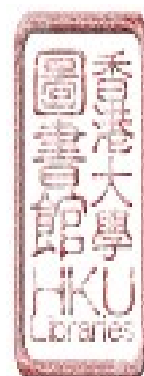
Policy Tools: Definitions and Significance

So far as the first step in drawing up the analytical lens, some important concepts in the field of policy analysis should be identified. To facilitate our further explanation, the meaning of “tool” or “instrument” will be defined clearly here as “a tool, or instrument, of public action as an identifiable method through which collective action is structured to address a public problem” (Salamon, 2002). Through an institutionalized set of tools with regularized patterns of interaction among individuals or organizations, actions



of entities, which are not necessarily narrowed to government only, are structured in response to public problems for changing human behavior to accomplish a purpose. Given this definition, it is possible to distinguish “tools” from two commonly shared concepts: programmes and policies. Tools are more general than programmes and a single or multiple tools could be embedded into a programme to apply for a particular circumstance of field or problem. However, they are less general than policies which are collections of programmes operating in a similar field aimed at some policy objectives. The fact we have widely recognized that “policies are typically composed of a variety of instruments, and frequently the logic by which these elements are stuck together has more to do with coalition politics than with their operating characteristics” (Elmore, 1987).

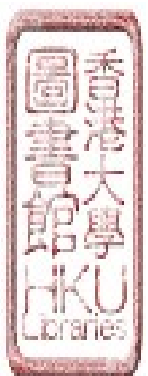
From what has been said, it is important to learn the significance of each policy tool to assess the tools of public action adopted by the government in pursuing public purposes, i.e. how the government makes the choice of means to address the public problems. Given that each tool has its own distinctive features, strengths and weaknesses, a single tool is no longer sufficient to respond to the community’s complexity. A multiple set of tools including punishing, encouraging, investing, and system-changing, with a holistic crossover between government, private sector and civil society shall be adopted to relieve public problems. The tools approach revealing the features of policy tools provides us an indispensable point of penetration to understand the distinctive tools used by our government in addressing the shortage of columbarium facilities, which shall be further discussed and elaborated in following chapters.



Classification of Tools

In view of the multi-dimensional nature of policy tools as a package of public policy responses, it is difficult to draw a universal classification for all policy tools. Different stress on tool dimensions by scholars reveals different grouping. By integrating policy instruments into strategies of interventions that government uses, Elmore sorted the tools in terms of four dimensions: 1) Mandates, 2) Inducements, 3) Capacity Building, and 4) System-Changing (Elmore, 1987). Hood elaborated instruments specific to the role of government for information gathering and behavior modification based on four types of resource required: 1) Nodality, 2) Authority, 3) Treasure, and 4) Organization (Hood, 2009). Vedung emphasized on the extent of force-input and produced a three class of tools: 1) Carrot, 2) Sticks, and 3) Sermons (Vedung, 1998). Recently, on the viewpoint of the flaws of “command and control” model in policy tools, scholar like Freiberg proposed a threefold division of regulations into 1) prescriptive regulation, 2) performance-based regulation, and 3) principle-based regulation in six broad forms including economic, transactional, physical, authorizational, informational, and legal (Freiberg, 2010).

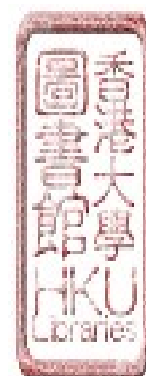
Despite different dimensions emphasized in the literatures, different classifications of tools, indeed, are not separated and contrary to each other, but could be interpreted as an interlocking matrix which is complementary and mutually supportive. Enabling a thorough analysis on Hong Kong’s columbarium policy in the following chapters, Elmore’s classification will be adopted as a backbone framework, with extending scope through integrating



compatible features by other scholars, to become a multi-dimensional package of analytical tool to examine the policy content.

Elmore's classification is deemed as the most appropriate framework to be the backbone of analysis because of its strong purposive and managerial theme which easily matches with the policy environment in Hong Kong under a traditional administrative-led government and its leading role in the policymaking process. In addition, Elmore's focus at the point on the intervention strategy could provide us a solid analytical foundation in understanding the development process of government-driven columbarium policy which is widely recognized as part of essential welfare in public health in Hong Kong from a top-down perspective.

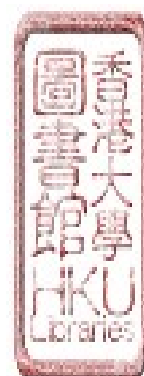
By integrating various conceptualizations of policy tool proposed, a more holistic framework could be tailor-made which gives value-addedness to the analysis of this project. Also, Elmore's classification is largely focusing on strategy of intervention that government uses. The expansion of coverage in analytical framework could supplement the analysis by a multi-dimensions perspective, like incorporating Hood's idea on social resource the policy makers enlist, Salamon's stress on type of good and the nature of delivery system, and Freiberg's focus on different forms of regulation and interaction between regulators and regulates, etc. Such hybrid approach could establish an all-inclusive scope of analysis to examine the columbarium policy.



Mandates

As defined by the Oxford Dictionary, mandates mean “an official order or commission to do something”. In the context of policy tools, mandates are easily interpreted as orders or commands for the policy compliance in leading to the change of behaviour, like regulation and enforcement. Instead of confining the term to such a narrow sense by focusing only on the form of command, the meaning of mandates should be further extended to a much broader sense by recognizing its feature of requirement. Apart from the feature of requirement, mandates could also be demonstrated in the form of authorization, whichever physically, economically or informatively.

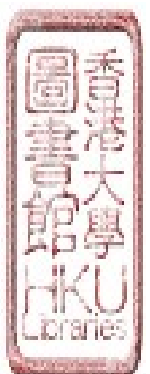
By Elmore, mandates refer to rules governing the behavior of individuals and agencies, that are intended to produce compliance (Elmore, 1987). Direct regulations or rules under administrative and legal authority imposed by the government for the purpose of behavioral change so as to tackle the public problems are no doubt classified under mandates. Such command could be presented in either positive sense of behavioural regulation or negative sense of penalty and law enforcement. The form of the strategy can be conscious or intuitive, explicit or implicit, institutionalized or informal. Elmore’s feature of command has been further elaborated and visualized by Vedung in his concept of “sticks”, which policy instrument, whichever positive or negative, aims to govern the behavior of individuals and agencies by rules and regulation and to produce compliance (Vedung, 1998). Similar interpretation of mandates could also be discovered in Hood’s explanation on resource of



authority as the basis of the instruments specific to government for behaviour modification, which denotes government's legal power and other sources of legitimacy (Hood, 2009). Bardach's idea on regulation (Bardach, 2009) and Freiberg's assumption on legal regulation which refers to government's ability to invoke the mechanisms of the legal apparatus for the purpose of apply or not applying (Freiberg, 2010) also has parallel understanding on it.

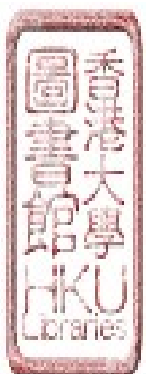
Top-down command is not the only way to produce compliance under the mandates. Instead of explicit rule governing behaviour, authoritative prescription could also be presented through a manner of requirement, specific to either individual or agency, leading to the change of behaviour. Bardach elaborated regulations under two major dimensions: social regulation for correcting imperfections arising from poor market information, and regulation concerned entry, exit, output, price and service level (Bardach, 2009). Government requesting agencies in coordinating the outputs of a variety of firms for pollution control is a typical example of requirement. Salamon also indicated similar concept of social regulation under his classification of policy tools. Freiberg's advocacy on the performance-based regulation, which government should specify the desirable outcomes and allow freedom to choose the means of compliance to fulfill the regulatory objective, emphasizes the characteristic of requirement under the concept of mandates to look for voluntary compliance.

Furthermore, authorization is also widely categorized as one of the important forms of mandates. Freiberg has elaborated this concept by his idea on authorizational regulation as one of the broad forms of regulation,



which is an exclusive power to confer benefits by authorizing certain forms of conduct (Freiberg, 2010). Government could choose to authorize or recognize the right or benefit as behaviour modifying tools. Similar idea could also be interpreted through Salamon's classification on common tool that liability law could be adopted by the government through court system for social protection. It has also been highlighted in Hood's elaboration on the combination of four basic social resources for instruments specific to government for information gathering and behaviour modification, namely "nodality", "authority", "treasure", and "organizations" (Hood, 2009). "Authority" fully explains the resource from government's legal power and other sources of legitimacy for policy instrument and specifies the option of authorization or standard in policy instrument. In addition, nodality denotes the capacity of government to operation as a central point in information network (Hood, 2009). Through the control of information and technology, government could strategically collect or disseminate information to facilitate the policy formation and implementation. The leverage of information by government proposed by Hood not only discloses its significance in the age of changing technology, but also demonstrates how the government could exercise the authorization under its mandate in policy tool through manipulation of information.

Since mandates are well-known as a top down approach of command or order, it seems that many people have a narrow understanding that mandate is purely expressed in judicial and legislative means by government. Indeed, mandates could also be expressed in economic means. Government can choose to have direct control or decontrol on variable factors of production

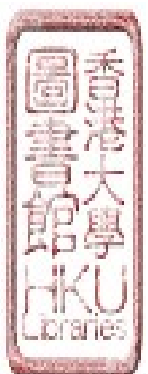


like output level, prices and wages based on the extent of government intervention. In this connection, Vedung's idea of "Carrot" could also be acknowledged under a broader concept of mandate due to the interpretation of economic incentive as a form of government's authorization in economic means. Freiberg's illustration on six broad forms of regulation, including both economic and physical, and similar ideas shared by Bardach on Economic Regulation and Informational Regulation have already revealed that a broader sense of mandates is possible to include the strategy of information provision and market intervention. It is not necessary to confine to the regulation or law established through administrative and legislative process only.

Inducements

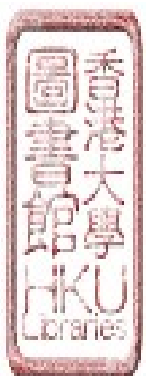
Inducements refer to something to persuade or lead to an action by someone or a desired result. Under the categorization of Elmore, inducements are conditional transfers of money to individuals and agencies in return for the short-term performance of certain actions (Elmore, 1987). As one of the intervention to enhance policy compliance, Elmore's emphasis is on the monetary incentive used to exchange for the desirable outcomes or the anticipated frequency of the actions. Apart from monetary inducements, scholars have shed light on a new perspective to look into non-market incentives through a broader lens and pointed out that other forms of incentive, such as individual and collective interest, new honour and opportunity, etc.

Sharing similar concept with Elmore, Vedung stressed a more clear



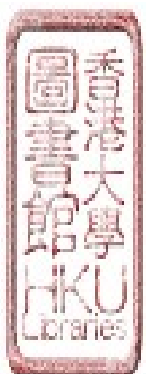
concept “Carrot” as use of economic instruments alters the expense of time, effort, any money, making desired behaviour cheaper and undesired behaviour more expensive (Vedung, 1998). According to Hood, he highlighted the availability of economic award for government under the term “Treasure” by using its assets or fungible resources as inducement (Hood, 2009). Bardach further mapped out clearly what the government could do for monetary incentive, such as manipulating the market price through tax system, imposing subsidies and grants to stimulate activities that neither market nor voluntary action appears to produce in adequate quantity and quality for incentive effect, or to produce wealth effects to people or organizations to make recipients wealthier as incentive, as well as adjusting agency budget to alter its performance in exchange of incentive effect (Bardach, 2009). Focusing on the descriptive feature of tools, several policy tools of public action illustrated by Salamon are available to government to promote incentive. Direct payment like loans and grants could be offered to recipients to produce benefit; provision of goods, service, or information through contracting could effectively engage nonprofit organizations and business organizations to produce the desired output; vouchers and tax expenditures could give sufficient incentive to consumer in order to stimulate favourable behaviour (Salamon, 2002).

Although there has been much elaboration in the economic reward, or carrots, in literature, the use of inducements in policy implementation is widely extended to other non-monetary forms of incentive. Individual honour and interest could be an effective motivation. The concept of private self-governance illustrated by Knill and Tosun has already asserted that public



actors can increase the legitimacy of private governance by officially acknowledging the outcomes of private governance (Knill and Tosun, 2012). Bardach also stated the possibility for modifying and creating the structure of private right through legislative instruments, e.g. property right and liability law, etc., to provide incentive to individuals for compliance. The positive incentive from legal protection of private right may therefore be included under the umbrella of inducements tools. In addition to private matters, collective interest and community value could also be developed as an inducement. There is a notable trend in recent development of regulation to blend the deterrent measures with the use of incentive (Salamon, 2002). Community safety is usually stressed in social regulation for food and safety and the use of positive reward. For example, positive rewards like product endorsement certificate or flexibility to regulated entities for good compliance is undertaking in western countries to address the concern on environmental protection.

As discussed before, inducements could be presented in the form of positive or negative. Positive inducements could be largely interpreted as positive motivation to individuals through direct manipulation of money, liberty, life, or other tangible payoffs (Schneider and Ingram, 1990), while negative inducement could be understood as abolishing the existing benefit scheme as well as lessening or eliminating penalties for voluntary report of non-compliance. No matter positive or negative inducements, the advocate of inducements as policy tools is highly assumed on the individual's rationality in pursuing maximum interest and the initiative on voluntary action. Also, it presumes actors with sufficient information and capacity to respond to

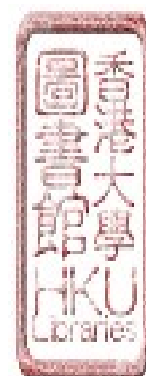


incentive accordingly. However, “carrot” always makes no guarantee for the recipients to act as desired and as Vedung said, “Economic tools always leave the subjects of governance a certain leeway within which to choose by themselves whether to take an action or not” (Vedung, 1998, 32). Also, according to Schneider and Ingram, “incentives are not an issue, but there may be barriers stemming from lack of information, skills, or other resources needed to make decisions or take actions that will contribute to policy goals” (Schneider and Ingram, 1990).

In view of its weak feature of enforcement, a blending approach with more than one type of tools is usually used together with incentive in policy implementation. Rarely is single inducement tool sufficient to ensure the desired behaviour at individual and institutional level. Policy makers will consequently combine it with mandates or “stick” in most of the occasions for effective implementation and goal achievement. Intermixing strategy with capacity building tools in enhancing recipients’ required skill and information for policy compliance is also commonly adopted to address the problem of compliance. The blending approach of tools at the end also verifies the interlocking relationship between different classifications of policy tools and the importance of a multi-dimensional package to contribute to critical analysis.

Capacity Building

According to Elmore, the classification of “Capacity Building” refers to the conditional transfers of money to individuals or agencies for the purpose of



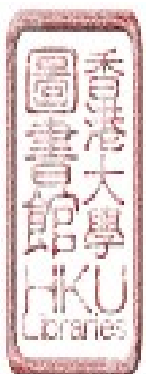
investment in future materials, intellectual, or human resources (Elmore, 1987). This is a long term approach of investing knowledge, skill, competences for future return and long term benefit. By adopting capacity building, the government would need to have faith in that investment (enhancement of skill and knowledge) would lead to long term benefit (changing of behavior), which are often uncertain, intangible and immeasurable. If policy makers have a strong preference on immediate effect or a short-time preference, they may consequently underinvest in future capacity to exchange for short-term reward.

The investment on capacity building could be carried out at both individual and institutional level to facilitate the desirable behaviour or to avoid unwanted conduct. At individual level, policy makers usually invest on the enhancement of materials and intellectual. Capacity building in materials could be characterized in two ways: monetary and non-monetary. Presenting a similar view of Wealth Effect proposed by Bardach in Inducements, government could transfer resources to recipients by providing monetary rewards, like subsidy, grant, and voucher, etc., to create condition to facilitate compliance. Government could also deliver new service or expand an existing service in order to build up capacity, or to ease the users' difficulties in accessing the service, for targeted subpopulation through non-monetary measures. For intellectual enhancement, there is no doubt to take into account of investment on education as the most basic form of capacity building. In addition to institutionalized education, socialization of new knowledge and ideology through public education and propaganda is another usual presentation of capacity building. Vedung named this tool as "Sermons" that transfer information or persuade through education,



propaganda, normative, and emotional appeal, in conjunction with “Stick” and “Carrot” (Vedung, 1998). Through manipulation of information, resources are provided to targets to nurture new ideology and knowledge, aiming to make the adoption of breakthrough from existing services in future easier. Information could also encourage initiative of the targets to work toward policy goals with the policy makers that both of them find desirable. One example is the promotion of healthy eating campaign or waste recycling programme.

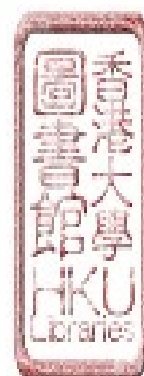
The description of capacity building tools at institutional level also closely matches with the previous discussion. Government could empower agencies through budget adjustment internally as well as Quasi-public agencies externally via increase of funding support to build up the institutional capacity. Budget allocation to universities to facilitate knowledge exchange in Hong Kong is an example of capacity building, i.e. how the government makes use of the internal monetary resources to create chain-effect to the community. An array of investments in human resources consists of skill training and job-knowledge enhancement to be deemed as a common capacity building tool within the institution. Such enhancement makes sure that public actors acquire necessary skills and knowledge to guide private actors during the formulation and implementation of public policy for efficient compliance. Hood further elaborated the concept that the role of information and communication technology not only decisively helps the central agencies in government to maintain and consolidate their power, but also improves the way its interaction with citizens (Hood, 2009). His emphasis on information in capacity tools indeed echoes with the Vedung’s stress on the persuasive



communication and interaction under “Sermons”.

Despite the different focuses at individual and institutional levels, government has to always consider the implementation platform for capacity building from a wide range of options, ranged from launching in an existing market to creating a new market, providing the necessary materials and information directly by government itself to funding the community or civil society for delivery. Such capacity is indeed subject to the social resource “Organization” named by Hood, which denotes its capacity for direct action for instance through armies, police, or bureaucracy (Hood, 2009). The policy makers also have to balance whether proactive dimension of “Sermons” should be strengthened in order to facilitate the target to work towards the desirable policy goals such as Exercise and Health programme for public health, or preventative dimension of capacity building like prevention of infectious diseases and AIDS would be more effective to achieve policy goals.

As a tool to achieve policy result by grapping over people’s heart through conciliation, capacity building tools are rather appealing in nature as compared to mandates. The policy compliance produced by capacity building is voluntary, consistent and more substantial with no concern on the retreat of desired behaviour due to the withdrawal of inducements. However, capacity building does not provide short term result. Therefore, it could only be adopted as a supplementary tool instead of a primary tool. Also, the investment put in capacity building today has no guarantee on the result in the future. As Elmore pointed out that, the returns of capacity building are often uncertain, intangible, and immeasurable. Therefore, policymakers will need

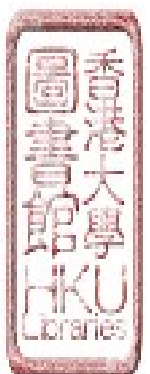


to consider the risk/cost if they want to apply capacity building as a policy tool to mitigate a policy problem.

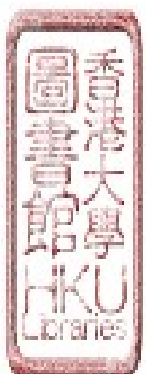
System-changing

Apart from the direct approach adopted in the form of mandates and inducements in policy instrument, system-changing demonstrates a macro scope of instruments to accomplish the policy goal. According to Elmore, a system-changing form of policy is to change the working relationship among policy actors in order to transfer the authority among individuals and agencies for altering the system by which public goods and services are delivered (Elmore, 1987). System-changing is mostly found at institutional structure where policy is implemented. Through the emergence of a new institution or reform of existing institutional arrangement, the system-changing tools could address the unresponsive part of existing institutions to the change of policy environment. We can easily anticipate that typical outcome of system-changing policy is either broadening the existing institutional structure to address the problem by the institution itself, or narrowing the authority of current delivers down by nurturing the emerging of new deliverers in public goods and services.

Through the system-changing policy tools, the states could shift between a more coercive approach by strong government-driven governance, namely interventionist governance by Knill and Tosun, and a more authority-sharing approach such as regulated self-governance as well as cooperative governance (Knill and Tosun, 2012). According to Knill and Tosun, interventionist



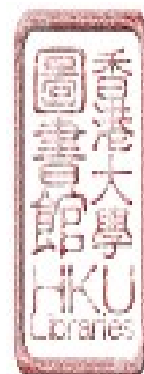
governance reflects the classical style of policy-making that hierarchical intervention of the state is required for provision of public goods and services and characterized by a hierarchical relationship between public and private actors, which closely matches with the command and control feature of mandates. With more authority transferred from public actors to private actors, a cooperative relationship could be built up. In conjunction with the legal binding rules, a regulated self-governance will show significant social participation during policy formalization and institutionalization, although the government still takes a dominant role throughout the procedure. Private actors are able to participate in policy making and implementation. Even a greater extent of public participation is possible to turn the system into cooperative governance which private actors, with stronger voluntary characteristic, instead of government playing a dominant role in policy formulation and implementation. In cooperative governance, the cooperation between the society and government is emphasized and the application of policy tools is subject to negotiation and voluntary agreement between public and private actors (Knill and Tosun, 2012). A more open and cooperative relationship among policy actors is fundamental to nurture the new institutional structure, including multi-sector partnership between government and community, outsourcing under the New Public Management as well as “Third Party Governance” illustrated by Salamon that a new form of institution outside of the state hierarchy established for the purpose to fulfill the particular policy function (Salamon, 2002). Like heads and tails of a coin, policy makers have to decide if system-changing tools should be used to positively share the authority with private actors for broadening the system or to negatively constrain their engagement to a more narrowing structure and



interventionist governance by government so as to achieve the policy goals. In the case of system broadening, the current institutions may drive the new ones out of existence before their establishment. On the other hand, there is also a challenge to prevent the newly-formed institutions to establish same institutional interest with the existing one throughout the narrowing process. Given strong political influence from existing institutions to policymakers, neither system-broadening nor narrowing policies will work out successfully to stimulate a structural change for policy purpose.

Aside from institutional structure, system-changing could give effect to alter individual's behaviour. Education voucher is a good example to reveal the policy function in changing the behaviours of market users and distribution of authority among competing providers of public goods and services. The change in policy actor's behaviour could eventually lead to open up of competition and expansion of community agencies and the civil society in public services delivery. This can manifest the shift in incentives and outcomes from sole authority to multiple agencies.

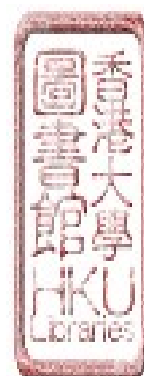
Resembling other policy tools, a fundamental strategic consideration should be given to the adoption of this kind of policy about the directness of policy and the bet between the present and the future. In comparison with the mandates and inducements, it is always uneasy to demonstrate a concrete and prompt policy outcome due to the long nurturing time for new institutions. Similar to capacity-building tools, there is also no guarantee on the creation of new institutional arrangement as the policymakers should consider how to prevent the recipients of new authority from using it in ways that are



inconsistent with the expected outcomes (Elmore, 1987). Moreover, the system-changing policies might incite the defensive response from the existing deliverers which will strive to protect the preserved institutional interests and incentives and undermine the existence of potential new institutions by their competitive advantage. In this connection, the effectiveness of system-changing policy depends on whether the policymaker is able to bring the core instrument together with complementary policy, by forming an array of instruments around a common purpose.

Interlocking Arenas as Multi-dimensional Analytical Package

Given the thorough review on different classifications of policy tools earlier, it is not hard to understand that a broader interpretation could be extended from what Elmore has characterized and thus discover the crossover among those major classes. Instead of being distant from each other, such fourfold division of tools could be read as supplementary and supportive to one another. Although Mandates always takes the cutting edge from its effectiveness in directing behaviour for policy goals, such coercive approach may harm the policy legitimacy and cause the alienation between the recipients and policy makers if negative command is stressed. Inducements could supplement to it by providing a common goal to people for worth achieving and promoting mutual trust, which leads to voluntary compliance. However, the incentive approach also has its own shortcoming for being not reliable to guarantee the policy targets to act desirably. The Capacity Building tools denote an alternative means to persuade the public for voluntary compliance through socializing the value and norm into target actors. In



contrast, the policy makers have to sacrifice the effectiveness in a short term, which could be easily achieved by Mandates or even Inducements, in exchange for an uncertain voluntary cooperation in the long run. The enhancement in knowledge and information flow by Capacity Building Tools may not only cause behavioural changes, but is also possible to nurture an emergence of system change. With the change in relationship between private and public actors under the System-Changing approach, a much open and outgoing engagement in governance improves significantly the legitimacy and mandatory authority in policy implementation and eventually reassures the implementation of Mandates and Inducement tools.

Such interlocking relationship verifies the truth that no single policy instrument is sufficient to achieve policy goal in the complex world of public administration. You can easily prove the argument that more than a single tool have been commonly used in the real world. In this connection, the insufficiency of adopting a single-dimension analytical framework for policy study is recognizable. Given that function leads to the form, a multi-dimensional analytical framework, by focusing on the wholes instead of bits, is essential to serve as an analytical lens to look into the local context in order to facilitate a comprehensive policy study. With the stress on the interaction between fourfold division of tools (central butterfly area in Figure 2.1 showing the interlocking arena), the proposed multi-dimensional framework is able to serve as a strong and useful lens to further analyze the columbarium policy in Hong Kong.

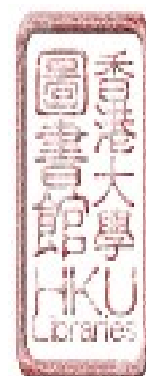
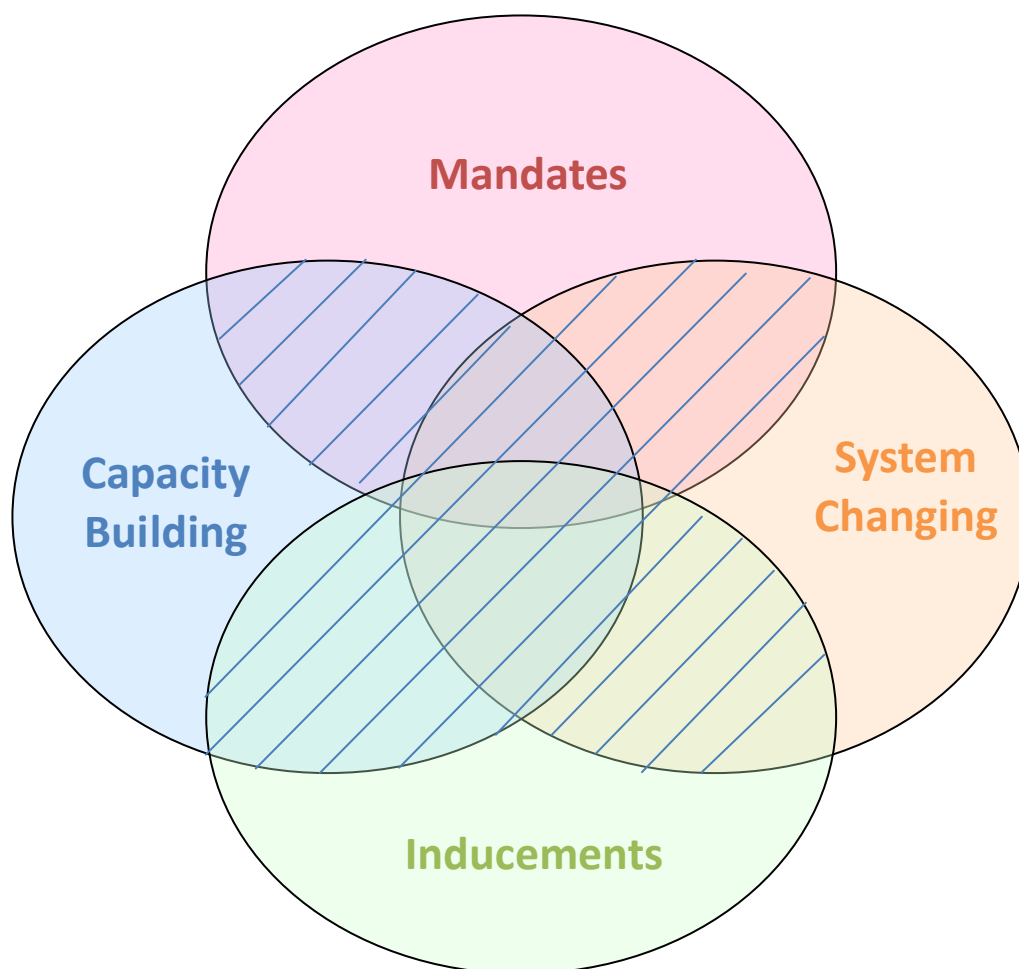
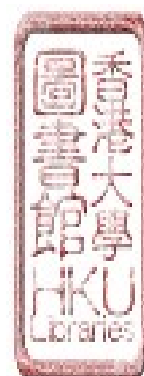


Figure 2.1: Interlocking arenas of policy tools

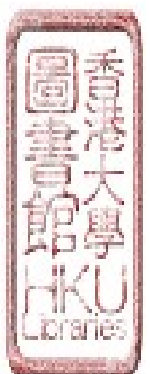


Concluding Comments

In this chapter, we have already gone through the major classifications of policy tools and got an understanding of the uniqueness and emphasis of each classification. Despite the single-dimensional nature of each tool, their mutual features indeed enable them to be supportive to each other in analysis. Based on the backbone of Elmore's classification, the concepts of Mandates, Inducements, Capacity Building and System-Changing have been largely expanded and re-formulated into a new analytical framework to serve as a



more comprehensive analytical lens to facilitate our study of columbaria policy in Hong Kong. We shall then further examine the local policy and organizational context regarding the Hong Kong's columbarium policy in Chapter 3, such as policy background, the recent opening of policy window, and the organization arrangement on public and private columbarium market, etc. With an in-depth understanding on the local context, we could be able to conduct a comprehensive and critical analysis on Hong Kong's columbarium policy based on the analytical framework laid down in Chapter 2.



Chapter 3

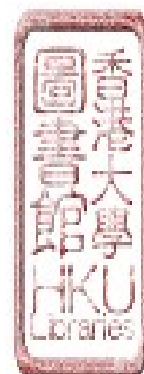
POLICY AND ORGANIZATIONAL CONTEXT

Introduction

Having set up an analytical frame work as the analytical lens for our study of columbarium policy in Chapter 2, this chapter addresses the policy and organizational context regarding the columbarium policy in Hong Kong. The following areas are included: the policy background including the past columbarium policies and their effectiveness, issues which had led to the opening of the policy window, the current public and private market situation of handling human remains in Hong Kong and how the organizational arrangement affected the effectiveness of the policies. The next chapter will analyze the columbarium policies adopted in Hong Kong based on the analytical framework introduced in Chapter 2.

Policy Background

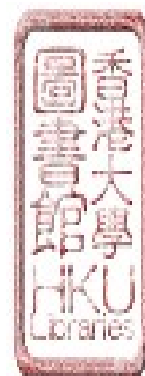
With an aging population, it is projected that the annual number of deaths will increase steadily from 43,700 in 2010 to 52,800 in 2020. In Hong Kong, there are a total of eight public columbaria (Cape Collinson, Diamond Hill, Wo Hop Shek, Fu Shan, Kwai Chung, Cheung Chau, Peng Chau, Lamma Island) managed by the FEHD providing some 167,900 public niches as at 2011, all of which have been allotted. Some 200 re-used public niches are available every year for allotment to applicants on the waiting lists. The waiting period is normally two years or above (FHB, 2010). There is



apparently an insufficient supply of columbaria facilities to meet the rising demand.

Land resource is scarce in Hong Kong. Whenever the Government chooses a sit for columbarium development, it has to consider various factors such as topographical conditions, land use compatibility, infrastructural support, traffic and environmental implications. More importantly, the Government usually has to face the concerns and objection of residents in the vicinity of the proposed sites. Since columbaria facilities are unwanted facilities, they do not want to have it developed near their living areas due to Not In My Back Yard (NIMBY). NIMBY is a characterization of opposition by residents to a proposal for a new development because it is close to them, often with the connotation that such residents believe that the developments are needed in society but should be further away. Lamentably, the development of over 240,000 new niches over the past few years had been shelved due to objections from District Councils and local communities.

Owing to the high demand for columbarium niches, private columbarium has appeared as a profitable business. Comparing the prices of public niches (\$2,890-\$4,295) to that of private niches (up to \$200,000), plus the low operating cost, many people started to set up private columbaria to take the advantage. However, many of the private columbaria were unauthorized as they did not comply with the user restrictions in land lease, town planning requirements, other regulations. Some illegal occupy government land. Even worse, some are developed in residential areas causing nuisance to the residents living nearby. As a result, a lot of complaints had been received



regarding private columbarium facilities. The public called for Government's intervention in regulating the private columbarium market.

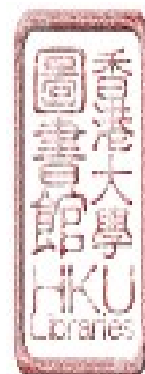
Past Columbarium Policies and their Effectiveness

Public Columbaria

When studying the past columbarium policies, it was found that the HKSAR Government did not have a very comprehensive or well-planned columbarium policy. The shortage of columbarium niches could have been anticipated since the early 2000s, yet the Government failed to adopt measures to tackle the problem or did not realize the problem at all.

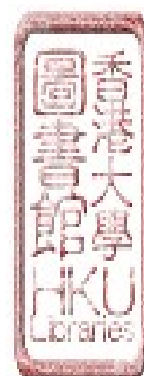
In early 2000s, the public complained about long waiting period for cremation services as a result of a shift from land burial to cremation. To cope with the problem, the Government tried to increase the cremation capacity by replacing cremators with advanced ones. In a written reply to Legislative Council by the Secretary for Health, Welfare and Food on 2 June 2004 regarding a question on demand of supply of niches, it wrote: "At present, the FEHD and other organizations are providing sufficient number of niches to meet the public's need" (Legislative Council, 2004). Hence, the Government did not realize the shortage of niches as at 2004.

However, on the LegCo meeting on 6 April 2005, the Secretary revealed that the FEHD was actively studying plans to develop new columbaria or expand the existing ones. Besides, two non-government organizations had



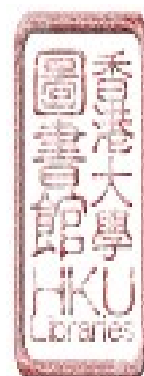
applied to the Government for land to develop columbaria (Legislative Council, 2005). In 2006, the project of additional columbarium at Diamond Hill was approved. It was an eight-storey columbarium block providing about 18 500 niches.

In a written reply to Legislative Councilor on 8 March 2006, the Secretary wrote: "There has been a shortage of government niches and the cremators are operating at almost full capacity. In 2005, out of the total number of deaths of around 38 600 in Hong Kong, 33 000 dead bodies (86%) were cremated, of which 88% could only be undertaken within 11 to 15 days of application. The Government provides a total of 138 000 niches, but all were sold out last year. About 11 000 new niches will be made available later this year. Only several tens of thousands of vacant niches are still available in the private columbaria and columbaria under the management of the Chinese Permanent Cemeteries. These can hardly meet public demand" (Legislative Council, 2006). At that time, the Government had realized the seriousness of the problem. It started to explore new sites for columbarium development instead of just relying on building columbarium facilities in existing cemeteries. As such, a 22-hectare government land in Tuen Mun Area 46 which had already been reserved on the Tuen Mun Outline Zoning Plan for "Crematorium, Columbarium and Funeral Services Centre" uses was identified as the only suitable site. It was far away from major residential developments and directly accessible by land transport. However, the Administration met severe objection from the Tuen Mun District Council and the local residents. Eventually, the Government failed to proceed with the project.



In the LegCo paper on the progress report on Crematorium and Columbarium Facilities published in January 2007, aside from increasing the supply of public columbarium niches, measures were proposed to alleviate the shortage of Government niches. For instance, improving the design of columbarium facilities by maximizing the greenery effect, beautifying the structure by matching the design with neighboring environment, adjusting the orientation of the building blocks and setting back the rows of the niches; promoting acceptance of wider use of Garden of Remembrance (GOR) at Cape Collinson; ceasing the practice of perpetual interment of cinerary urns and limiting the interment of newly allocated niches to 10 years; inviting NGOs to participate in columbaria development; and exploring the possibility of sea burial as an alternative means of handling ashes of human remains. (LC Paper, 2007a)

All in all, the government policies adopted regarding public columbaria were trying to increase the supply of public columbarium in existing cemeteries, identify suitable sites for columbaria development in different districts, construction or conversion into multi-storey columbarium blocks, improving the outlook of columbarium facilities and advising public to optimize the use of existing niches i.e. each niches can accommodate two to four cinerary urns for holding ashes of deceased with kinship. The statutory six-year exhumation cycle for coffin burials has been implemented and maintained in all public cemeteries. It can be seen that the Government had been mainly using mandates to try to solve the problem of shortage in columbarium facilities, especially in using regulatory tools.

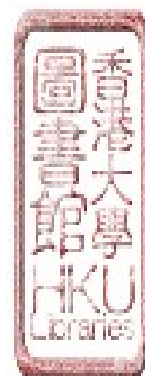


Private Columbaria

As for government policies on regulating private columbaria, the Government did not impose any legislation on their operation. In 2004, the Secretary for Health, Welfare and Food said that: “Given our primary policy concern in the provision and management of columbaria being public health, and that the storage of bone ashes does not pose any risks in that regard, the Government does not impose legislative or other controls on the operation of private columbaria” (Legislative Council, 2004).

In 2005, in responding to a question raised by a Legislative Councilor, the Secretary answered that the FEHD and the Home Affairs Departments had not received any complaints about private columbaria causing nuisance to their neighborhood in the past two years (Legislative Council, 2005). And as ash interment does not give rise to any public hygiene problems, the FEHD had no control on the operation of private columbaria. In 2006, when asked during a LegCo meeting, the Secretary expressed that the imposition of regulation will not be considered for the time being on the ground that it does not constitute any hygiene or safety problem (Legislative Council, 2006).

Nevertheless, the FEHD has received a total of 17 enquiries or complaints against private columbaria from 2006-2008. In 2008, the Administration still had not kept statistics on private columbaria nor had the intention to regulate the private market. In 2009, although the Government maintained the same stance of no intervention on the market, an inter-departmental meeting to co-ordinate the work of various departments in



studying the issues involving private columbaria was convened.

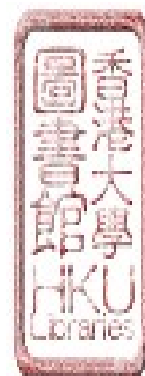
Alternative Ways of Disposing of Cremains

The Government had introduced other alternatives in handling human remains. As they are free-of-charge, this provided incentives for people to use them as substitutes to columbarium facilities. In this case, inducement tool is adopted to enhance policy compliance.

(a) Gardens of remembrance (GoRs)

There are ten GoRs in operation within the eight public columbaria managed by the FEHD. The GoRs are decorated with seasonal flowers. There are dedicated walls for mounting plaques in memory of the deceased. Memorial rituals may be performed before the scattering of the cremains. There are also two GoRs managed by the BMCPC and the Hong Kong Chinese Christian Churches Union.

The annual cases of scattering cremains in GoRs of the FEHD have increased over the past decade, from only five applications in 2000 to 1874 from Jan to Nov 2012. There had been a dramatic increase since the year 2007 when the Government started advocating the alternative ways of handling cremains. As for other GoRs, 147 cases were handled by the BMCPC's Junk Bay Chinese Permanent Cemetery for the first year since its commissioning in Dec 2011, while 170 cases were handled by the Pokfulam Chinese Christian Cemetery since its operation in 1998 (LC Paper, 2013).

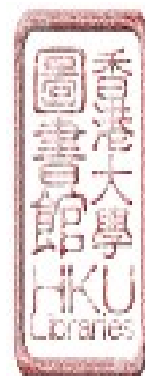


(b) Scattering cremains at sea

In March 2007, the FEHD formally set out the arrangements for scattering cremated human ashes at sea in a paper (LC Paper, 2007b). Four areas within Hong Kong waters were designated for the purpose. The streamlined application procedure was implemented in July 2007. Approval will be granted by the Director of Food and Environmental Hygiene within five working days from the date of application for scattering human ashes within one of the three designated areas.

The above arrangement had resulted in five-fold increase of applications for sea scattering, from 27 cases during the first six months of 2007 (before the implementation of the streamlined procedure) to 133 in the subsequent six months in the year. The number of applications also increased from 243 in 2008 to 729 in 2012 (LC Paper, 2013).

The FEHD introduced a free ferry service for the public in January 2010. The service was further enhanced by employing a bigger vessel which can accommodate over 200 passengers per sail since January 2012. The bigger vessel provides a more spacious area for holding memorial ceremonies for the deceased. A funeral director is on board to assist family members in the memorial ceremonies and facilities are provided to accommodate different religious rituals. A questionnaire survey was conducted among the users of the ferry service in the period of Jan – Nov 2012, around 97% of the 520 users were satisfied with the service provided (LC Paper, 2013). As the free ferry service became popular, the FEHD had further increased the number of sails to four times per month from January 2013.



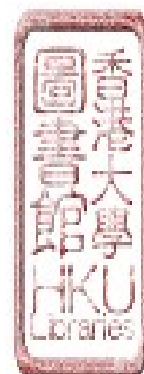
By looking at the figures, it can be seen that there is an increasing acceptance of the public for the alternative ways of handling human cremains. Nevertheless, the Government should put more effort in promoting the use and enhancing the acceptance so as to alleviate the shortage of niches.

(c) Internet Memorial Service (IMS)

The FEHD launched a memorial website (memorial.gov.hk) in June 2010 to allow users to pay tribute to their lost family members. Users can create a free memorial webpage. They can self-design or select a thematic layout, write the deceased's life story, express condolences, upload photos and videos, select electronic offerings, etc. Up to November 2012, over 4500 users have been registered in the IMS website, about 4900 memorial webpages have been created and the hit rate reached over 1,123,000 (LC Paper, 2013). A mobile version of the site was launched in September 2011.

Opening of the Policy Window

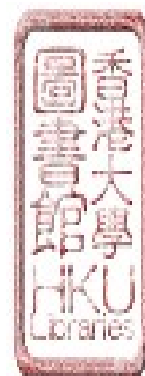
The proliferation of illegal private columbarium led to the opening of the policy window. Because of the long waiting time for public columbarium niches, many ashes of deceased persons were temporary stored in funeral homes in Hung Hom causing nuisance to the nearby residents. There had been reported cases of private columbaria illegally occupied Government land. Even worse, some private columbaria were developed in residential buildings in urban areas. This created the problem of live people living with the dead, causing psychological impact and other externalities such as environmental



problem resulted from burning joss papers, crowded problem and traffic impact during Chung Ming and Chung Yeung festivals.

Concerns were also raised by consumers who purchased/were planning to purchase niches in private columbaria. People were worried about whether the private columbaria were authorized and whether they were protected if they had purchased niches in unauthorized private columbaria. 28 complaints against columbarium services were received by the Consumer Council in 2009, of which almost two-thirds involved the legality of the premises. The complaints figures suggested growing public concern with the legal status of the existing private columbaria. From 2009 to 2011, the Planning Department had received 177 complaints from the public, which involved 40 cases, and 26 cases of them were found to be in breach of the Town Planning Ordinance. The Lands Department had also processed 97 cases and 43 of them were found to be in breach of the land leases or/and had illegally occupied the government land (HKSARG Press Release, 2012).

The Alliance for Concern over Columbarium Policy was formed in 2010. The group criticized the government's policy as "three unwillings and two refusals", i.e. "unwilling to legislate, regulate and enforce, as well as refusing to plan and communicate" (South China Morning Post, 2010a). It urged the government to legislate on the regulation of private columbaria, launch a licensing system with regular inspection, and prohibit the continuing construction or operation of the existing illegal private columbaria (Ming Pao, 2010). Protests were organized to express discontent on the Government failure.

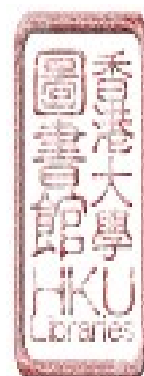


As a result of the public outcry, the Government eventually launched a public consultation exercise on review of columbarium policy. On 6 July 2010, the Food and Health Bureau (FHB) published a consultation document on review of columbarium policy and launched a public consultation for about three months. In the consultation document, it was suggested that columbarium development should be taken forth in the following directions:

- (i) increasing the supply of columbarium facilities to meet the overall public demand;
- (ii) encouraging public acceptance of more environmentally friendly and sustainable means of handling cremains;
- (iii) enhancing consumer protection in the choice of private columbarium facilities; and
- (iv) enhancing the regulation of private columbaria (FHB, 2010).

On 13 December 2011, the FHB launched another public consultation on the proposed licensing scheme for private columbaria for about three and a half months. The Government proposed to formulate a new piece of legislation titled Private Columbaria Ordinance, under which all private columbaria (unless exempted) should be subject to regulation under the licensing scheme. A statutory Private Columbaria Licensing Board would also be set up as the licensing authority.

A further in-depth analysis on recent policy development by examining the measures adopted by the Government based on the analytical framework



introduced in Chapter 2 would be illustrated in the next chapter.

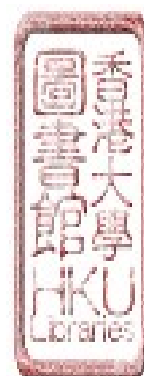
Current Situation in Hong Kong

At present, cremation and land burial are the most accepted ways of handling human remains in Hong Kong. Below is a brief summary of the cemeteries, crematoria and columbaria facilities in Hong Kong.

Cemeteries

Land burial was the traditional way of handling human remains. Eleven public cemeteries, namely Hong Kong Cemeteries, Garden of Remembrance (Cape Collinson), Mount Caroline Cemetery, New Kowloon Cemetery No. 8 (Diamond Hill Urn Cemetery), Prison Cemetery (Stanley), Wo Hop Shek Cemetery, Cheung Chau Cemetery, Tai O Cemetery, Lai Chi Yuen Cemetery and two in Sandy Ridge are managed by the Department. Coffin burial spaces are available in the following public cemeteries managed by the FEHD: Wo Hop Shek Cemetery, Cheung Chau Cemetery, Tai O Cemetery and Lai Chi Yuen Cemetery. However, for coffin burial in Cheung Chau Cemetery, Tai O Cemetery or Lai Chi Yuen Cemetery, the applicant must produce a certificate from the respective rural committee to certify that the deceased was an indigenous villager or a local resident of the island concerned.

Burials in aforesaid public cemeteries are not permanent, but exhumable. Every year, the FEHD will issue an exhumation order in the Government



Gazette, requiring the removal from graves of all human remains which have been interred in the aforesaid public cemeteries for more than six years. If the remains are not exhumed after expiry of the exhumation order, the Government will disinter the remains, cremate them, and re-inter the ashes in the Communal Grave at Sandy Ridge Cemetery. However, one can arrange, through an undertaker, to have the remains exhumed, and either cremated, or reburied in an urn grave in the Wo Hop Shek Cemetery (FEHD, 2013).

Crematoria

FEHD operates six government crematoria, one each at Cape Collinson on Hong Kong Island, Diamond Hill in Kowloon, Fu Shan, Kwai Chung and Wo Hop Shek in the New Territories, and one at Cheung Chau. Service halls form an integral part of the crematoria for relatives and friends of the bereaved families to pay their last respect and/or to hold the last rites for the deceased. The booking of cremation sessions is processed on a first-come-first served basis and made available for 15 days in advance (FEHD, 2013).

Columbaria

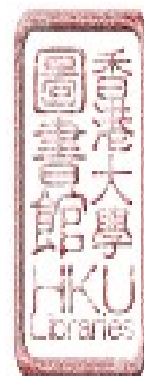
There are a total of eight public columbaria (Cape Collinson, Diamond Hill, Wo Hop Shek, Fu Shan, Kwai Chung, Cheung Chau, Peng Chau, Lamma Island) managed by the FEHD providing some 167,900 public niches as at 2011, all of which have been allotted. Some 200 re-used public niches are available every year (FEHD, 2013).



The non-profit making Board of Management of the Chinese Permanent Cemeteries (BMCP) operates four cemeteries in Aberdeen, Chai Wan, Tsuen Wan and Tseung Kwan O. It provides about 208,000 niches, all of which have already been allotted. Other cemeteries in Hong Kong are managed by the Catholic, Protestant, Buddhist and other religious bodies, providing about 119,300 niches in total, of which 35,400 are not yet allotted (FHB, 2010). Besides, private operators (for example, Po Fook Hill at Sha Tin) and monasteries/nunneries/temples also provide columbarium facilities in Hong Kong. However, there is no official record of the number of niches provided by the private sector.

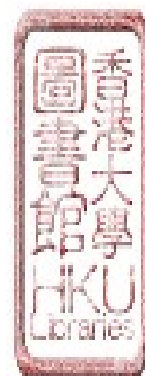
Organizational Arrangements

The FEHD under the FHB took over the responsibility for administration of urn graves on 1 January 2000 from the then Urban Services Department (USD) and Regional Services Department (RSD). The administration of the urn grave cemeteries is governed by the Public Health and Municipal Services Ordinance (Cap. 132) and the Public Cemeteries Regulation (Cap. 132 BI). The Cemeteries and Crematoria Section of FEHD is responsible for the management of 11 public cemeteries, 6 public crematoria and 8 gardens of remembrance, as well as the monitoring of the operation of 28 private cemeteries, 7 licensed funeral parlours and over 90 licensed undertakers of burial.



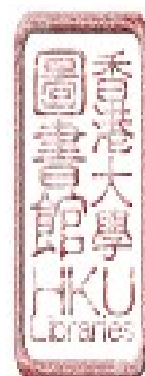
Currently, there is no single authority responsible for the regulation of private columbaria. Thus, the regulation of private columbaria spans across various departments including Planning Department, Lands Department, Buildings Department, Town Planning Board, Fire Services Department, etc. The Administration said that relevant departments will exercise the power conferred upon them by the land lease, the Town Planning Ordinance, Building Ordinances, and take action against any unauthorized building works or unauthorized developments contravening the planned use or land lease, or posing imminent danger to life or property in accordance with established procedures.

There is a lack of coordination on the regulation of private columbarium within the Government. When Radio Television Hong Kong (RTHK) attempted to invite officials to come to the City Forum on the columbarium issue on March 28, 2010, various agencies including Food and Health Bureau, Development Bureau, Lands Department and FEHD all shirked their responsibility and in the end, no one showed up in the forum (South China Morning Post, 2010b). A spokesman for the FHB said that it was not a "policy bureau" on columbarium, but a "policy coordinator." The definition of human remains also created chaos. There are rules prohibiting the storage of human remains, but it is unclear whether human ashes should be defined as human remains. While the Lands Department says that ashes are human remains, the Public Health and Municipal Services Ordinance states that human remains do not include ashes (South China Morning Post, 2010a). This confusing situation has created a grey area regarding the legality of private columbaria.



Concluding Comments

Having talked about the policy background, past columbarium policies, the current situation in Hong Kong, we have an idea on the history of the columbarium policies and we now understand the shortcomings of the policies adopted by the Government. The shortage of columbarium facilities in Hong Kong deserves serious attention by both the Government and Hong Kong people. Moreover, the problematic organizational arrangement ought to be resolved in view of the lack of coordination and evasion of responsibilities by different government departments. In the next chapter, a more in-depth analysis on the columbarium policies adopted by the HKSAR Government would be provided based on the analytical framework introduced in Chapter 2. Comparison with Singapore and Taiwan would be drawn so as to give a lesson for the HKSAR Government in dealing with the columbarium problem.



Chapter 4

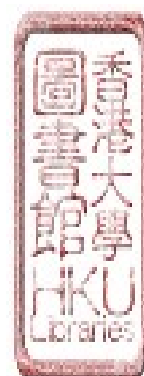
ANALYSIS ON POLICY DEVELOPMENT

Introduction

In this chapter, an analysis on the development of the columbarium policy in Hong Kong will be introduced in the policy tools approach, with reference to the analytical framework set out in Chapter 2. Focuses would be drawn on the measures taken by the Hong Kong Government and how the policy content would help to enhance the policy compliances in the local context. The latter part in this chapter would be a comparison of the policies in Hong Kong, Taiwan and Singapore. The majority of Chinese population in these contexts enables them to share similar traditional beliefs on burial practices, while with differences in their political backgrounds and leadership styles, this allows us to explore the policy area in a more comprehensive and multi-dimensional perspective. This will also provide a basis for the subsequent chapter to suggest a way forward to Hong Kong Government on this policy area.

Columbarium Policy in Hong Kong Context

Starting from 1970s, with the limited land supply for land burials, cremation has been the main method to handle human remains in Hong Kong. The Government has promoted cremation and the usage of cremation has increased gradually over the years. Coupled with the increasing demand of cremation, the problem on limited supply of columbarium facilities has been arisen. Columbarium is the house of the deceased and it allows descendants to pay respect to their lost family members. As discussed in the previous



chapter, the major providers of the columbarium facilities are the Government and some religious and non-profit bodies. They contributed about 40% of the columbarium in Hong Kong. The rising demand of the facilities has led to the proliferation of private market on the provision of columbarium for local communities. However, the Government did not have legislations to regulate private operators. Complaints on various issues brought by the privately operated columbarium, like environmental hygiene and traffic conditions have arisen. This has also drawn concerns from the general public on the legal status of the private operators and the problem of inadequate supply of columbarium facilities.

Bringing forward to the discussion in Chapter 2, the policy contents using different tools and approaches are interlocking with one another. They can present as one form while serving various kinds of functions. One single policy tool may not be able to address the problem and achieve proposed policy objectives. A set of multi-dimensional tools may be more appropriate. From the analytical framework in the previous chapter, we have categorized the policy tools into 4 main types with their distinct features, namely mandates, inducements, capacity building and system-changing. In this chapter, we are going to look into the columbarium policy development in Hong Kong context and analyze the policy content in a policy tools approach.

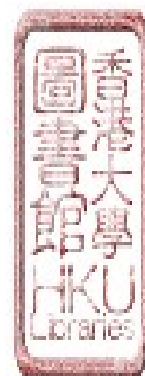
Mandates

The policy environment in Hong Kong is dominated by an executive-led government, there is no doubt that mandates have become the most commonly



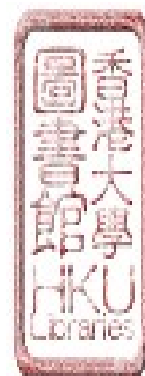
used intervention to achieve the policy goals. Despite the HKSAR Government's non-intervention strategy in the columbarium policy at early stage, we could still recognize the government's proactive role in influencing policy actors' behaviors through mandates. Such preference of policy makers has become much more obvious when the problem on the shortage in columbarium facilities is under the spotlight of public agenda.

Based on the thorough discussion on the classification of mandates, characteristics of regulation, requirement and authorization are inclusive in a broader sense of mandates. Although Hong Kong SAR Government did not have well-planned columbarium policies in the 2000s, legitimate regulations like Undertakers of Burials Regulation and Public Health and Municipal Services Ordinance have been well undertaken to regulate the operation of columbarium facilities and burial arrangement. Recognizing the government as the key public welfare provider in Hong Kong, HKSAR Government serves as the major provider for direct services and goods in columbarium facilities to public. Through the condition on the use of public columbaria, the government is able to achieve the policy goals by directly controlling public's behavior for compliance. In light of the effectiveness of mandate tools in achieving the compliance, the tool of regulations has also been widely adopted by the government in addressing the shortage of facilities. The government has proposed the statutory rules, in both expanding the capacity of niches up to four cinerary urns for holding ashes of deceased with kinship and limiting the exhumation cycle for coffin burials for six years in all public cemeteries, to optimize the current usage of burial facilities to increase the circulation of facilities (FHB, 2010). In addition to regulation at individual level, the



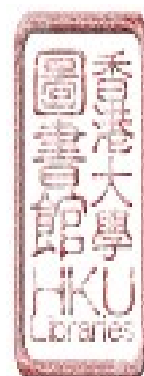
mainstream of regulatory instrument on columbarium policy used by the Government indeed preliminarily targets to institutional level. The identification and reservation of government land for columbaria in outline zoning plan of land development is one of the examples about the government's visible hand to increase the supply. The public consultation held on December 2010 by the FHB on the Licensing Scheme for Private Columbaria could also be interpreted as a strengthening regulatory instrument embraced at institutional level that the government intends to extend the coercive regulation in the operation of columbaria from public to private market, in order to respond to the supply shortage and the consequential problems raised owing to the lack of benchmark in quality and operation guideline. Meanwhile, the imposition of licensing regulation in private market to address the management issue echoes the preference of policymakers in HKSAR Government that enforcement and regulative tools are widely used to achieve the effectiveness of compliance in a short period of time.

Apart from the regulatory tools, the government still counts on its mandate authority to set up requirement for compliance. Concerning the opposition force raised by the NIMBY effect, the government has already openly announced its strategy in developing districted-based columbarium plan and highlighted the responsibility at district level to resolve the shortage of columbaria. In 2010, the HKSAR Government has identified 24 potential columbaria sites in 18 districts for feasibility study (FHB, 2010). The high-sounding announcement by the government attempted to nail down the presumption on public support for expanding the columbarium facilities and to request cooperation from the District Councils concerned to minimize the



negative effect from NIMBY. The Government also set up requirements to other service providers, including non-profit and private operators, to provide more information to the public concerning the allocation of columbaria. For private market, the government has requested the private operators to apply to the Lands Department (LandsD) for regularization of land use and/or to the Town Planning Board for planning permission (FHB, 2010). In comparison with enforcement of compliance under regulatory tool, requirement tools will also be adopted to encourage self-initiative cooperation from the agency.

In light of the limitation to rely on the Government to be the major service provider for columbarium facilities, policy makers have considered authorizing and nurturing other service providers to fill the service gap. Instead of dominating the supply of the service, HKSAR Government has cooperated well with the NGOs and religious organizations in running the columbaria for public. Nearly half of the columbaria are currently operated under non-governmental organizations which have been well-authorized as key major suppliers in the columbarium market (FHB, 2010). Due to the growth of private market, the HKSAR Government has also acknowledged the emerging of this new market force to address the balance between the overwhelming demand and limited supply. Even though the official licensing system is still under consultation, the government adopted a more supportive approach to provide more information to public in helping them on selection of operator, instead of a restrictive approach to prohibit the operation of illegal service providers. In this connection, the importance of authorization approach in addressing the balance of demand and supply in columbaria by the government is easily recognized

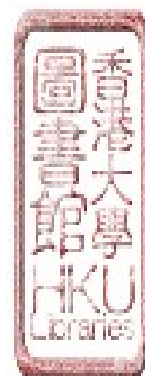


Inducements

Inducements are not just limited to providing monetary returns for the target populations, they also include some intangible benefits like collective interests for the society or honor for doing good.

Hong Kong Government has well adopted inducements in columbarium policy by offering positive and negative monetary incentives in different period of time to enhance the policy compliance. In order to promote the change in burial behaviour from coffin to columbaria, a lower price for cremation and niche had already been set by the government in 1970s to encourage more usage on columbaria. Similar practice has also been used to promote environmentally friendly interment. Charge-free scattering of cremated ashes in Gardens of Remembrance (GoR) and designated sea area is now being offered by the government (FHB, 2010). From the official statistics, the acceptance of these two methods increased over the years. For the application for scattering cremains in GoR, the application has increased from less than 30 cases per year in 2007 to 650 applications in 2009 (FHB, 2010). Similarly, after putting a more streamlined application procedure in place for the sea burial, the application has also been raised to near 1000 in 2010 (FHB, 2010). It is easy to understand that sea burials and GoR are relatively more economical and are effective alternatives for the public when compared to pricy columbarium.

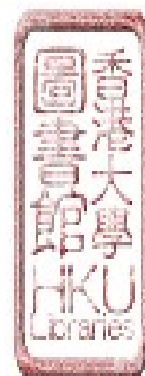
Apart from monetary incentive, the Government has always considered



using intangible incentives to encourage the community to change over their behaviours. Avoiding lengthy waiting time for columbaria is a strong motivation for sea burial and GoR. Individual and cultural interest like higher compliance to traditional custom for letting passed members to rest in peace as early as possible has also been stressed in convincing public to choose alternative burial arrangement in ease of the problem in columbarium policy. As sea burials and GoR allowed religious rituals and ceremonies, it appeared to be more socially acceptable for a traditional Chinese community to pay respect to their lost family members. To ease the accessibility of sea burials, the Government has streamlined the application procedures and provided more ferry services for the ceremonies. In order to facilitate the general public to opt for the new methods, measures were taken to fit in the traditional Chinese culture and to make them more accessible. With these flexibilities, more and more people would opt for the alternatives.

Community interest has also been upheld as inducement. The alternatives provided a more sustainable and environmentally friendly means to handle human remains. Inducement with incentives provided, more people would opt for the alternatives for the time being until it becomes generally acceptable to the public. It can then help to relieve pressure from the inadequate supply of the facilities.

In view of the limited supply of the niches, the Administration advised to maximize the use of existing niches. Both positive and negative inducements have been introduced. Incentive scheme and introduction of annual management fee are suggested. Incentive scheme is suggested to encourage

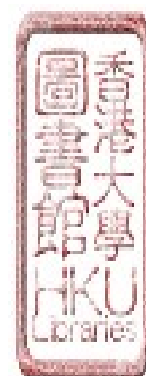


the return of niches after certain years of use, say 6 years. Relatives and descendants would receive an incentive as a reward for the return of niches so as to shorten the waiting time of others and to maximize the use of the current niches (FHB, 2010). As the existing lease of niches are in permanent terms, the offer of monetary incentive is a direct positive inducement to motivate people in adopting new policy agenda so as to meet the limited supply and the increasing demand of the facilities. The introduction of the annual management fee is presented as a form of negative inducement. The descendants are required to pay the management fee to renew the niches and if they failed to renew the niches on a regular basis, the niches would be reallocated to other users and the cremains would be relocated or scattered in the GoR. This is to ensure more effective use of limited facilities.

It is true that with the inducements offered, more people will go for the alternatives and better outcomes for the policy objectives could be achieved. However, incentives cannot be a standalone policy tool to sustain the results. As if the inducements are no longer available, the compliance would decline. It has to be worked with other policy tools, like capacity building, in order to consolidate the values of the community for doing common good.

Capacity-building

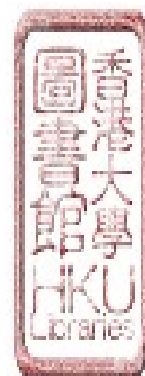
In capacity building, knowledge and skills are built through providing information and teaching to enhance the intellectual capacity in individuals. The provided information and acquired knowledge could change the individual's behavior which in return will lead them to achieve the proposed



policy objectives accordingly.

In the area of columbarium policy, the Government has publicized the Information of Private Columbaria (the Information) since December 2010. The List A and B categorized the privately operated columbarium that were made known to the LandsD according to their compliance to the statutory requirements (FHB, 2010). The Lists allowed the general public to make informed choices before they engage into any trades of the columbarium. The Information provided a more transparent and systematic channel for the public to obtain more information about the operators, which is essential for them to make sensible choices. With the list of the private columbarium developed, the Government could have a clearer view on the supply of the columbarium facilities. Thus, it enables the Government to have more accurate projection on the supply on the facilities and have a better planning on both public and private columbarium. This can alleviate the problem on inadequate supply in long term. The list can also cultivate the public to look up the Information before they make their decisions. Members of the public will develop a habit to study the information on the operators and seek for advice whenever appropriate. This, in return, can lead the public to choose the properly-run operators and eliminate the illegal ones. The operators are then more encouraged to comply with the statutory requirements. The consumers would be responsible for their choices and be more protected under a more transparent system.

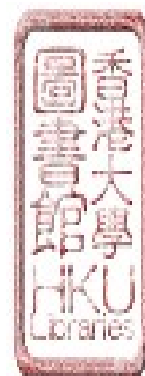
To achieve policy objectives by capacity building, another explicit way of doing that is through education. Intellectual skills could be built up by



propagation and education. In response to the increasing public awareness on the operation of private columbarium, the Government has worked with the Consumer Council to strengthen consumers' education. The Consumer Council has published articles in its monthly magazine, CHOICE magazine, in April 2010 and January 2011 respectively which included a reference guide and some useful tips in choosing providers for the columbarium facilities. With more information made available, general public would be able to study and think more thoroughly before the deal. They could make better choices with the improving knowledge through public education. Knowledge and competencies developed would bring a longer term effect on general public to choose appropriate columbarium facilities.

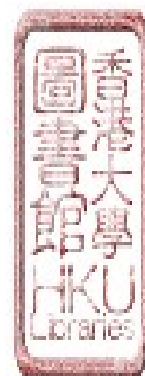
Apart from choosing suitable private operators, the Government also promotes alternative methods to handle human remains through various means, like advertisement to gain popularity. The information helps the public to understand more on the benefits for adopting new methods and cultivate the alternatives into more socially acceptable means. The results may not be prominent within a short period of time but it takes time to change the traditional culture in the society. Thus, more information on the alternative methods has to be advocated to support the change in the mindset of the general public on the acceptance of the new methods.

The Government could build capacity in the institutions from persuasion and information manipulation. In the case of columbarium policy, the Government has proposed the district-based columbarium development scheme on the consultation paper in July 2010. However, objections were



received from different stakeholders, including the District Councils and residents from nearby neighborhood. They opposed the scheme due to the various reasons from their own perspectives. Apparently, columbarium facilities are unwanted but essential facilities. The community is reluctant to accepting the columbarium to be built at their residential areas as they think this is not their own businesses and the Government should sort out a better way of handling the problem. Yet, it is almost impossible to relieve the problem without the participation from the citizens. The Administration should take the chance to reinforce the community to work together for the common good of every citizen. The Government could work with District Councils by conveying messages that every district has to share the responsibilities on providing columbarium facilities for their citizens. The lobbying would be time consuming but it is effective once the communication is improved with the citizens.

As discussed earlier, the Government reinforced the consumers' protection by the means of building capacity in general public. This helps consumers to protect themselves from any incomplete disclosure of information or dishonest operators. However, achieving self-regulation by capacity building is not just limited to individuals, it can also be extended to institutional level to a broader extent. Through the propagation to choose properly-operated providers, this would in return encourage the operators to comply with the statutory requirements in order to meet the demand from the market. Hence, self-regulation in the private market could be cultivated. Advices and support should be offered to the private operators in order to facilitate them to comply with the statutory requirements and seek help

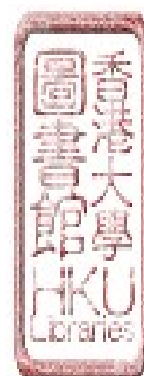


whenever they are needed. Competencies and knowledge are then also built in the private operators for better governance in the future.

System-changing

A hybrid approach of government-driven governance and cooperative governance with religious bodies and third sectors has already been well adopted in formulating and implementing columbarium policy and providing services since the colonial period. In addition to the public burial sites operated by the government, the Board of Management of the Chinese Permanent Cemeteries (BMCPC) was established as a statutory body under the Chinese Permanent Cemeteries Ordinance (Cap. 1112) in 1914 to provide Chinese burial services. The establishment of BMCPC in early colonial stage revealed that the Hong Kong Government has counted on a cooperative approach with non-governmental units to provide and operate cemeteries and columbaria for long time. In a past decade (2000-2009), only 14 percent of cremation was stored in public niches and over 45 percent of cremation was placed in niches provided by BMCPC and private columbaria (FHB, 2010).

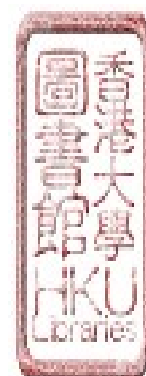
In view of the limitation of land resources, the system-changing approach was used by the Hong Kong Government to address the shortage of coffin burial sites in 1970s. To directly increase the supply of public niches and restrict the interment arrangement, the Hong Kong Government had successfully encouraged service providers to switch the burial system from land burial to cremation through inducements and sermons. Inducements like shortening the waiting time for niches and charging cheaper cost had also been



imposed to public in order to facilitate the behavioral change and system change. The significant growth of cremation ratio from 35 percent in 1975 to 89 percent in 2009 (FHB, 2010) has proven the transition of the main burial method.

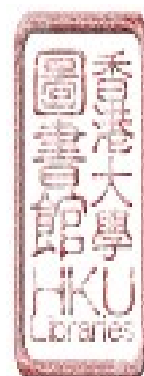
Given the shortage of columbarium facilities, system-changing tools are being adopted by the Government at both individual and institutional level aiming to alter the service system. At the public consultation on the columbarium policy in 2010, it was obvious that the Government stressed on reform, more precisely on broadening of the existing institutional arrangement by introducing the private operators to the market to resolve the supply shortage. Instead of continuing to rely on the non-profit sector and religious bodies as the only key supplementary role in delivering columbarium services, the government shifts to recognize and regulate the private columbarium market by licensing the private operators, which makes sure that the private market could be re-organized in an effective manner to share the service delivery. At the same time, the cooperation between government and the third sector has also been enhanced. BMCPC and other religious bodies are encouraged to explore more suitable sites to develop columbarium facilities or increasing number of niches in their existing columbarium sites (FHB, 2010). Through expansion of the existing institutional structure, it is anticipated that the shortage of columbaria could be addressed by the emergence of new policy actors.

Other than transferring the authority from public to private actors to achieve the extension of service delivery, the government stresses on



promoting the emergence of new burial arrangements in order to stimulate the system-changing effect to tackle the issue. With the rising awareness of environmental protection and sustainability, environmentally friendly burial arrangements like sea burials and scattering cremains at GoRs are strategically promoted when such alternatives have now become more socially acceptable. Authorization of sea burial sites by government mandates and economic inducements on free service are utilized to boost up the recognition of this system-changing policy. The government also takes this opportunity to launch different public education programmes to enhance the disassociation between the sustainable burial arrangement and traditional burial customs so as to facilitate the social acceptance on such system-changing means at individual level. The nutrition of alternative arrangement is considered as the long-term measurement to substitute the cremations as the major way for handling human remains over time.

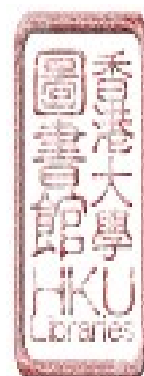
The system-changing policy tool could not be an effective tool without the supplement of other policy tools. Taking the situation of changing to new alternatives, information and public education are needed to reinforce knowledge and capacity on the benefits on the new methods in order to enhance the compliance for using sea burials and GoRs in the community. System-changing appears more likely as a macro image of the policy development, while other tools perform the function to achieve the evolved system for better policy compliances.



Experience from Singapore and Taiwan

This section investigates two other countries' experience on combating the land scarcity problem as raised by traditional Chinese preferred land burial as major burial arrangement. By adopting Elmore's categorization of tools as the basis of analysis, and supplemented by the classification of other scholars such as Hood, Vedung, Knill and Tosun, this section will look into the significant features of these countries' experience and what Hong Kong could learn from them. More specific measures will be recommended and further discussed in the next chapter.

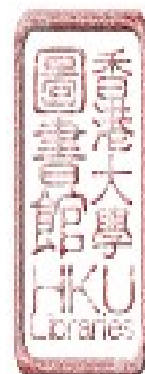
Singapore and Taiwan are chosen as the targets of comparison with Hong Kong. It is because both Singapore and Taiwan face similar difficulty on land scarcity caused by the widely adopted traditional land burial arrangement in previous years. They also face the same challenge on maintaining future sustainability of burial arrangement. In addition, both Singapore and Taiwan have a population with majority Chinese background that share common traditional beliefs and practices on burial arrangement that resemble similar value in Hong Kong society. This has reflected on some similar policies that have been applied by Hong Kong, Singapore and Taiwan governments. However, one might need to note that there are differences in each country's experience as there are factors based on different background, history, nature of problem, etc. Therefore, some specific measures are being carried out by each individual government. For instance, in Singapore, the need for columbarium spaces in particular is not as pressing as Hong Kong does. However, land scarcity as a common problem is among the most important



issues in Singapore. The Singapore government has been making plan back in 1970s that one cemetery would be left in Singapore (PlanetSave website, 2005). In other words, Singapore can only afford to have one cemetery to meet the entire country's need for land burial. Thus, over the years, many cemeteries had been closed and graves were subjected to exhumation. In Taiwan, there is only a small private market in funeral and burial business, so Taiwan government, being the major service provider has a better control and bigger influence to the overall market. Nonetheless, their unique experiences had offered some valuable insights for the Hong Kong government for reference. The measures adopted by these countries could provide an alternative option and pointers for the Hong Kong Government to consider.

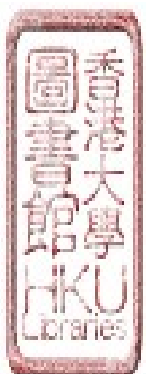
Situation in Singapore

In Singapore, National Environmental Agency (NEA) is the government agency that is in-charge-of providing “care for the dead services”. According to the National Environmental Agency (2013), its service areas include cremation, burial and columbarium services at government own cemetery and columbarium. It is also responsible for licensing and regulation of the funeral industry and providing other death related information to the public. In view of the land shortage problem, NEA has implemented a New Burial Policy (Choa Chu Kang Cemetery Exhumation Programme) in 1998 and to further enhance future sustainability; the New Burial System was launched in 2007. It is believed that these two systems working together will allow cemetery land to last beyond 2130 (National Environmental Agency, 2013).



According to National Environmental Agency (2013), currently in Singapore land burial is only available at the Choa Chu Kang Cemetery Complex. There are four government-managed columbaria in which three of them still have niches available. There is also option for Singapore citizens to purchase niches provided by private columbaria which are available at higher cost. Alternative forms of burial means such as sea burial are also getting more popular nowadays.

Being an authoritarian government, it is not surprising that mandate is the most frequently used administrative tool in Singapore's public policy. Over the years, mandate has remained the most important and effective tool in solving land shortage problem in Singapore. Broader sense of mandate tools including the form of regulation, requirement and authorization were adopted by Singapore government to free up more space to meet the new burial needs. Majority of the regulation instruments adopted by Singapore government are primarily targeting the compliance at individual level. Regulations like instructions for lease of burial plots at Choa Chu Kang Cemetery and the instructions for storage of ashes in government columbaria had been employed as "sticks" to govern the behavior of individuals and agencies by rules and regulation to produce compliance (Vedung, 1998). Citizens have to follow these rules as general consensus when using these government facilities. Through the provision of public services to its citizens, Singapore government had also imposed direct regulation to change the behavior of the end users. In order to increase the turnover of the Choa Chu Kang Cemetery to meet the land burial need, Singapore government had placed a behavioral regulation on setting a limit of 15 years to all land burial. Those do not comply with the



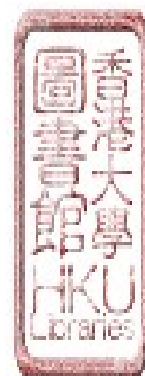
regulation are subjected to enforcement by the agency. And to maximize the utilities of the existing columbaria, government also allowed no limit on the number of urns to be stored in a niche as long as the urns can fit into the niche (National Environmental Agency, 2013). These regulative tools are applied on the direct end users when they need to use government services. And at the same time the rule itself is acting as a form of education to reinforce the citizens to abide by the rules when signing up for government services. Thus, these tools are very effective in achieving individual compliance for the benefit of the entire policy.

Apart from the regulatory tools, Singapore government also presented authoritative prescription in the form of requirement to individual or agency to achieve the change of behavior. In view of the stringent land shortage in Singapore, the government had sought the co-operation from citizens and institutions when carrying out its policy. As stated in the instructions of lease of burial plots at Choa Chu Kang Cemetery and instructions for storage of ashes in government columbaria, NEA may terminate a lease of a burial plot or repossess the niches in any time by giving the next-of-kin of the deceased a notice in writing. The government has used its legal power and legitimacy to require its citizens to comply in case of any redevelopment or clearance plans in the future (National Environmental Agency, 2013). This is in fact a continuous strategy adopted by Singapore government to free up spaces for new development plan. Over the years, more than 200 cemeteries had been exhumed to make way for new city development (Han, 2011). Whenever relocation or exhumation is needed, government will make ample public announcements to request the co-operation of citizens. Government requires



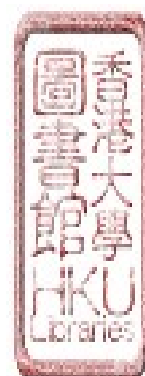
the deceased family (at individual level) to claim and exhume their deceased family member's body. It also requires the co-operation of different groups (at institutional level) to close the cemetery when it is deemed necessary by the government. For example, currently the Yin Foh Kuan Cemetery being the last Hakka cemetery is facing the fate to make way for a multi-storey building. The owner of the land – the Hakka association Ying Fo Fui Kun is required to co-operate with government's requirement for closing the cemetery once it is confirmed (Tai & Zaccheus, 2012). In addition to the regulatory tools addressing the existing concerns, requirement tools were adopted to address long term needs by enhancing future compliance of individual and institutions. It has paved the way for future compliance to government policy.

Furthermore, Singapore government had also adopted authorization tools as an important mandate to smoothen the implementation of its policy. In view of the diverse religious background in Singapore, government had aware that the support and endorsement from various religious societies are essential to the success of its New Burial Policy. Thus, Singapore government had appointed the Islamic Religious Council of Singapore (Muis) to carry out the exhumation on Muslim section in Choa Chu Kang Cemetery (National Environmental Agency, 2013). The partnership would enhance the building up of a co-operative relationship by transferring the authority from public actors to private actors (Knill and Tosun, 2012). Moreover, government had invited elites from different sectors to sit in the board of its agency (Urban Redevelopment Authority, 2010). The project devised by government had received advice and endorsement from these professionals. Such practice



reinforced the professional image of the Singapore government and built up confidence among the public and thus leading to higher compliance of public towards government initiatives. Besides, government also acknowledged the need to engage stakeholders to get their support to its policy. It has adopted an open attitude to reach out its citizens, partner with stakeholders, and get support from religious organizations. However, on the whole, government still remained the central point of information network in coordinating care for the dead service. Government had exercised the authorization through manipulation of information by providing one-stop burial service to its citizens. The website of NEA provides step-to-step guidelines for what to do when a death is occurred. The information guides the citizens if they opted to use the public service, to naturally follow government's rule. For instance, if one opted for land burial, it is clear that exhumation is needed after 15 years. And if one opted for government columbarium, co-operation is required as prerequisite as to any future redevelopment plan. All in all, authorization tool had been adopted by Singapore government to balance the need of straight mandate and conciliation with the public.

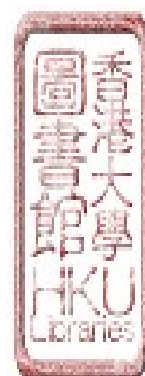
Although there is no single solution that fits all, it is noteworthy for Hong Kong to look into Singapore's strong mandate and engagement with various stakeholders as the key of success in its policy. Given the different history, root cause of the problem, culture of the citizen, etc., it is unlikely that Hong Kong could adopt mandate as the same way as Singapore does. However, Hong Kong Government should consider increasing the intensity of its mandate in certain areas of policy implementation by applying regulation tools in a more extensive way.



What is notable in the Singapore experience is the high public compliance on government's policy. One of the important lessons for Hong Kong to learn is that Singapore government has adopted a comprehensive authorization tools by reaching out to third parties for support and partnership and employing different forms of civic engagement. Years after years, citizens had understood the need to make trade off between different needs. As a government minister once dismissed an objection by asking the question "Do you want me to look after our dead grandparents, or do you want to look after your grandchildren?" (The Economist, 2013) In the same manner, Hong Kong Government should consider actively engaging NGOs or religious bodies to carry out campaigns to build up capacity of their group members on accepting non-storing ashes form of burial method as the permanent way of burial means. Building up capacity is a timely process but it is critical to help getting public support on the actual implementation process as a complementary part to the mandate.

Situation of Taiwan

In Taiwan, the funeral and burial management unit under the Department of Civil Affairs is in charge of the funeral and burial affairs. It is responsible for devising and interpreting funeral and burial law, setting up management system, planning, implementing and maintaining facilities, setting up business licensing system and issuing licenses, protecting and educating consumers, researching and analyzing data, and providing training for administrators and professionals of the field (Department of Civil Affairs, n.d.).



Geographically, Taiwan is bigger than Hong Kong and Singapore. However, Taiwan government had already foreseen the potential problems brought by shortage of burial grounds because Taiwan has a high density of population. In addition, Taiwan did not have systematic planning management of burial system in the past. Thus, many burial grounds were occupied inefficiently (Taiwan funeral and burial information network, n.d.). In order to prevent the problem from snowballing, Taiwan government had devised new measures and schemes to overcome the challenges brought by the traditional preference on land burial, environmental sustainability and inefficient distribution of cemetery land.

Currently in Taiwan, some government-run cemeteries are fully occupied. However, land burial is still available in other government cemeteries and some privately-run cemeteries. Columbaria are also available in both government- and privately- run facilities.

In Taiwan, funeral and burial facilities are heavily supplied by the government (table 4.1). Therefore, Taiwan government has a strong sense to nurture an appropriate funeral and burial culture in harmony with the future development of the country. Beside using mandate to achieve the short term goals, capacity building is another important tool employed by Taiwan government in its overall funeral and burial policy.

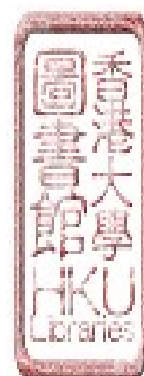


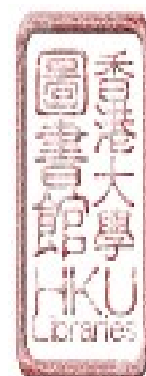
Table 4.1 Taiwanese government share in the funeral and burial market (in %)

	Government operate	Private operate	Government % to the whole market
Cemetery	2146	46	97.90%
Columbaria	371	76	83.00%
Crematorium	29	4	87.88%
Funeral home	44	2	95.65%

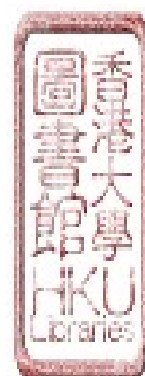
Source: Taiwan funeral and burial information network, n.d

Even though shortage of niches space is not an immediate issue for Taiwan, Taiwan government has a strong insight and determination to build up capacity of its citizens to adopt the environmental friendly funeral and burial practices. The central theme of this initiative is by phasing out land burial and promoting the use of non-ashes keeping burial means as permanent form of burial practice. Taiwan government has incorporated these elements into its overall funeral and burial policy. Through education and cultivation of new funeral and burial value to its citizen, a new funeral and burial culture that emphasized simplicity and environmental friendliness as key elements will be formed and eventually become prevalent among the public.

The investment of capacity building in Taiwan is being carried out on individual and institutional levels. At individual level, government had launched programmes by subsidizing NGOs, research institutes, or schools to carry out research projects on funeral and burial matters and to hold seminars, talks, exhibitions or other promotion activities to promote new funeral and burial culture to the general public (Taiwan funeral and burial information network n.d.). Through subsidizing these organizations, government is creating a more favorable condition to facilitate compliance (Bardach, 2009).

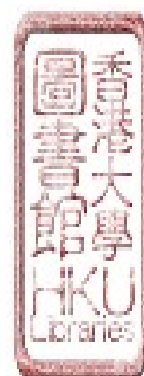


These activities allow the public to learn, exchange ideas, and ask questions about the environmentally friendly burial methods. Thus, it served to build up the knowledge and information base of the citizens. In addition, government also expanded its existing service by providing online memorial service. It also makes the service more user-friendly by providing step-by-step instructions to guide one through in subscribing to the service (Taiwan funeral and burial information network n.d.). This technology platform had provided new options for citizens to choose from. Besides, Taiwan government had put tremendous efforts in enhancement of intellectuals by investing into different forms of education. A resourceful website - funeral and burial information network is launched to provide comprehensive and centralized information to the public. This website offered a platform for the public to socialize the new knowledge and ideology. It allows easy and timeless access to various important information such as government's facilities search, government new policy and campaign updates, consumer protection tips, authorized pre-death service providers list, etc. A dedicated page for environmentally friendly burial means (such as sea burial, bury at tree / flower and Garden of Remembrance) is also created to bridge the public with these new forms of burial means (Taiwan funeral and burial information network n.d.). It utilized videos and photos to let the public visualize and indirectly experience these new means of burial method. By increasing the transparency of the environmentally friendly burial methods, misunderstanding and worries will be minimized. On top of the internet resources, a series of propaganda is also employed to guide Taiwan citizens to discard the long held traditional burial belief. For instance, Taiwan government had collaborated with a prominent Buddhist organization to hold



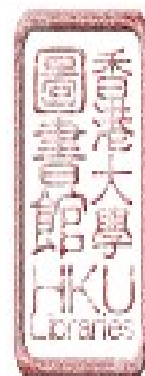
campaign to educate the public to adopt a simplicity attitude on funeral and burial ceremony. Taiwan government also invited societal leaders to sign a pledge on supporting simplified funeral and burial practice (Taiwan funeral and burial information network n.d.). These leaders acted as role models for the public to follow. Furthermore, some well-known public figures such as senior government officials, religious leaders, writers, philosophers, artists, successful businessmen, etc. had set an example to the public by personally being buried by these new means of burial method. Their “act-what-they-preached” is the most persuasive sermons towards the citizens in changing their behavior.

At institutional level, Taiwan government had implemented programmes to subsidize the construction and renovation of its burial facilities. In particular, environmentally friendly burial facilities are key focus among the programmes. Large numbers of trees were planted in these facilities to provide greenery and soothing environment for the users. Building a stronger capacity of these facilities would allow higher utility rate and attract more citizens to use the service. In addition, Taiwan government also strived to improve the quality of the funeral industry. Government holds various professional meetings including seminars, business forums and field trips to update the professional know-how and also established a funeral and burial professional licensing system to certify qualified funeral personnel. By investing in human resources, government is hoping these professionals would help in frontline to reinforce the new funeral and burial culture on their clients in their everyday work. Government building capacity on the industry is at the same time facilitating the capacity building of the citizens.



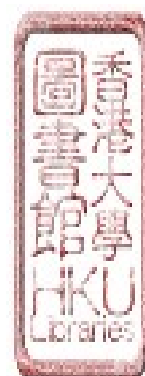
Even though Taiwan's need for columbaria is not as urgent as Hong Kong's, it has more advanced programmes and schemes on promoting environmentally friendly burial means. As such, its experience offers a lot of insightful ideas for Hong Kong Government to follow. As we can see, Taiwan government had employed different channels to build up capacity for its citizens. Hong Kong Government should enlarge the scope of its capacity building programme by increasing the variety and quantity of its education and promotion campaigns. In addition, Taiwan government also has a system to assess the effectiveness on the programmes, thus allowing further improvement and fine-tuning to increase efficacy of the overall policy. Hong Kong Government should also have a review system on its programme in order to maximize the utility of the resources.

What is remarkable in the Taiwan experience is that government is building capacity on different areas of both funeral and burial realm as a whole package to achieve a change of the culture of the public. The result is not only reflected on a single area of needs but rather it has created a chain effect. Instead of building more columbaria to accommodate the niche shortage need as a single concern, the change of culture will lead to a ripple effect that mitigates multiple concerns. For instance, as the attitude of the public changed, people may opt for sea burial over land burial and thus need for grave / niche spaces will be lowered, and more land is available for other development. To learn from Taiwan experience, Hong Kong Government should adopt a wider perspective in its capacity building programme by covering the burial realm as well as the funeral realm. Rather than curing a



problem at a time, the future direction of capacity building should be a macro perspective aiming to nurture a new culture among the citizens.

As illustrated above, the policies applied by Singapore and Taiwan have been quite successful in combating their land shortage concern. In Singapore, the land shortage concern is a macro problem; government used its mandate power to claim the land and request exhumation and relocation of the graves. At the same time, a lot of civic engagement is also employed to reinforce and to get public support of the mandate. In Taiwan, land shortage is not an immediate issue but government has the determination to nurture its citizen to adopt a simple value in choosing funeral and burial arrangement. So the Taiwan Government had incorporated capacity building into its overall policy. An all-rounded series of education and promotional campaigns are employed to preach the new value through different channels. And with time the new value have gradually permeated through the public and reflected from the citizens' choice. As explained earlier in this chapter, it seems that Hong Kong government had been using different tools in solving the problem of columbaria shortage; however, the measures are rather shallow and limited. As learned from the experience of Singapore and Taiwan, a more comprehensive, dynamic and focused approach should be adopted to build up stronger mentality of its citizens for adopting mandate and capacity. A strong government and supportive citizens are essential elements of a successful



policy. In the next chapter, recommendations based on the comparison through the analytical framework between the policies adopted by Hong Kong, Singapore and Taiwan will be discussed in details.



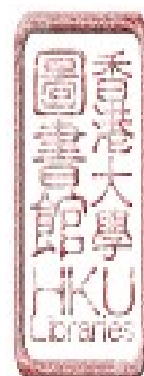
Chapter 5

CONCLUSION AND RECOMMENDATIONS

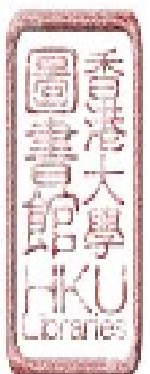
Conclusion

The shortage of columbarium in Hong Kong has obviously become a social, economical, environmental, ethnical and practical issue that the Government has to urgently deal with. Despite criticisms on the long waiting time of public niches as well as used niches; safety, hygiene and traffic problems brought about by the emerging private columbaria; and evasion of responsibilities among government Bureaux and Departments; the Government has actually in recent years put forward a number of initiatives to tackle the problem, e.g. identifying new sites for building columbaria, proposing alternative ways to handle cremains, new licensing scheme for private columbaria, etc. Nonetheless, the focus of the project is not evaluating each and every of the policies and measures that have been adopted, but to set out some more possible policy tools by looking through the lens as set out in Chapter 2 and policy tools that have been actually adopted in Hong Kong context as in Chapter 3 and the first part of Chapter 4 with reference to tool choices of other countries in the region, mainly Taiwan and Singapore in the latter part of Chapter 4. Ultimately, recommendations based on the comparison through policy tools approach would be drawn up to hopefully address the columbarium problems in Hong Kong.

It is important to recapitulate the concept as illustrated in Chapter 2 that policy tools are interlocked with each others and in most of the time there is no



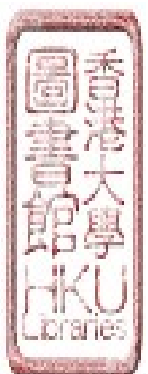
pure mandate, pure inducement, pure capacity building and pure system-changing; and they are tangled and may be under a bits-and-whole relationship with one or two dominant characters of policy tools. Singapore has adopted a policy tool with prominent mandate characteristic and there is a notable difference in the use of mandate between the three governments. The prime difference between the overall governance of Singapore and Hong Kong as well as in the domain of burial and funeral management is the great authoritativeness of the Singapore government compared to the endless policy consultations in Hong Kong entailed from its relatively democratic environment. Not to mention both the presidents of Singapore and Taiwan are elected through popular votes while Hong Kong is still struggling with the overheated debate of whether there should be selection criteria for the 2017 Chief Executive universal suffrage, top political leaders of Singapore and Taiwan possess real veto powers and ubiquitous support in policy formulation and in making key decisions for the good of the general public. The intrinsic difference of the political environment of the three places could account for the comparatively large extent on use of mandate by the Singapore government as the main policy instrument. Peters argues that most policy makers may miss out the linkage between policy and politics and assess the policy outcomes without also considering the politics shaping tool choices and this could result in potential faulty policy decisions (Peters, 2002). That stated the importance of considering the political environment to decide on how a government should suitably intervene by what forms on whom and in what context, and it is proved in the Singapore context that the form of mandate, i.e. strict limitation of the 15 years burial period, may be one of the effective measures to address the problem of shortage of land for the deceased.



Though policies in Hong Kong are largely regulatory, its stratagem is not as strong as Singapore's. It is expected that the resistance would be greater in Hong Kong to apply significant and strong mandatory measures in the midst of the public's general distrust over political leaders. It seems that the effective use of mandate as policy tool requires due consideration of the political environment and nurture of mutual trust between policy actors and receivers over a long period of time.

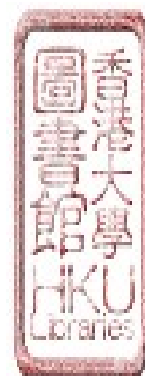
Singapore, Taiwan and Hong Kong have illustrated the use of inducement in addressing the shortage of columbarium. Singapore pays for exhumation for those expired upon the 15-year rule; Taiwan spends on improving the funeral and burial facilities to provide better service for its citizens; and Hong Kong has introduced incentive scheme to maximize uses of existing niches and has promoted uses of sea burial and GoR. Singapore falls more on using inducement for the provision of alternatives as to change the burial behaviors of users whereas Taiwan focuses on the current facilities. Hong Kong, in applying inducement strategy, is more holistic compared to the other two as it not only encourages the use of alternatives but also provides monetary and non-monetary incentives as well as positive and negative incentives in maximizing existing facilities. Despite the use of the same tool, different countries have different policy agenda and lead to a different policy outcome.

The above illustrated that both Hong Kong and Taiwan have worked on the current facilities primarily by means of inducement. Singapore has also actually improved the existing burial arrangement but mainly by capacity buildings. Way back in 2007, Singapore has already introduced new burial



system to enhance soil burial arrangement at institutional level with new skills. Though FEHD has also explored ways to improve the design of columbarium facilities, it is only limited to the greenery and beautification. In contrast, the use of capacity building in Hong Kong is rather soft. It emphasizes on education and provision of information instead of monetary investment in hardwares. The distinction may be contributed to the vast capital required for a construction project and the lack of a dedicated body to deal with the pressing problem of columbarium shortage. There is an inclination that Bureaux/ Departments would not take the initiative to take charge of a project which is not clearly under its schedule of responsibility. Even if, say FEHD is tasked to devise new orientation and methods to improve the existing hardwares and to maximize spaces for use, the department actually has to compete with other departments within the Government to bid for resources for the new initiatives. New technologies and installations require time, money and profession; soft promotional type of capacity building, on the other hand, is far more economical and effortless.

For the policy tool of system-changing, it is laid out in the preceding chapter that Taiwan has a centralized and established unit named Funeral and Burial Management Unit under the Department of Civil Affairs of the Ministry of the Interior to take care of the burial and funeral issues. Its wide spectrum of duties and responsibilities ranges from law interpretation to management, planning, implementing, educating and licensing. In Hong Kong, there is a rather scattered distribution of responsibility among different government Bureaux and Departments. While FHB has taken up the policy coordination role, other Bureau and Departments like DEVB, PlanD, TPB, LandsD, FEHD,

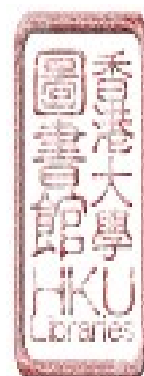


BD and FSD are just working on the their own relevant schedules. DEVB coordinates among planning and lands matters, updates and releases information on private columbaria; PlanD and TPB look at applications of the change of land use; LandsD takes care of the land lease matters; FEHD is responsible for the environmental and hygiene matters arose from columbarium; BD concerns the safety of building structure while FSD only focuses on the enactment of Fire Services Ordinance.

Recommendations

There are similarities and differences on the application of policy tools between Hong Kong, Singapore and Taiwan. The above conclusions summarized the distinctive differences in their applications of policy tools and possible reasons leading to the differences. Looking back to Hong Kong, it has utilized every possible policy tool to deal with the issue of columbaria shortage including district-based columbarium development scheme (mandate x inducement x capacity building), licensing schemes for private columbaria (mandate x capacity building), promotion of sea scattering, GoR and IMS (inducement x capacity building x system-changing) and collaboration with NGOs and religious bodies (system-changing), etc. So what are the missing elements of Hong Kong columbarium policy when compared to Singapore's and Taiwan's and can Hong Kong model on these practices?

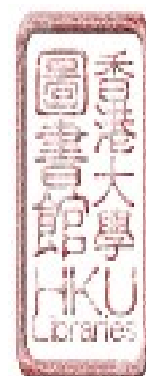
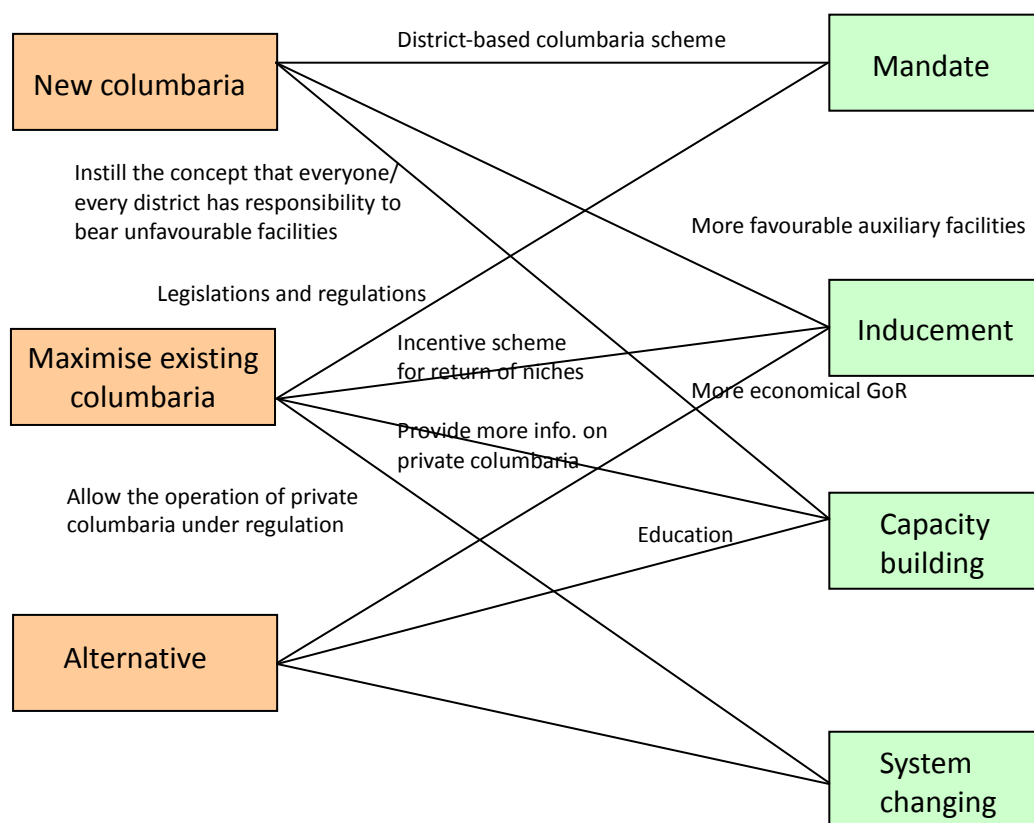
Major principles to solve the problem of columbaria shortage can be broadly classified as the following types –



- (i) To locate sites to build new public/ private columbaria;
- (ii) To enhance and modify the existing columbaria/ allocation system to maximize spaces for use; and
- (iii) To promote and encourage alternatives of handling human cremains.

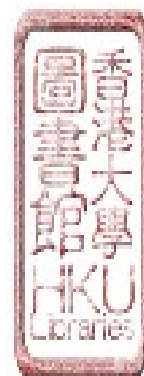
It is believed that every country are just following more or less the same principles to address the columbaria shortage problem; however, policy outcomes may depend on the mix and match of the above principle with policy tools used with the consideration of factors like political environment, timing, resources, policy actors and receivers, etc. Combination of policy choices in Hong Kong can be illustrated by the Figure 5.1 below –

Figure 5.1: Combination of policy choices adopted in Hong Kong



As shown above, the missing links there are using system-changing tool to acquire new columbaria; and requiring users, by means of mandate, to shift to alternate ways of handling the deceased bodies. Not that the policies currently adopted by the Hong Kong Government are all ineffective, but there are still rooms for us to further propose and analyse why certain policies are effective and others are not with the policy tools as analytical lens and with reference to other countries' experiences. In this connection, some recommendations made in this project would be based on the missing links in Figure 5.1.

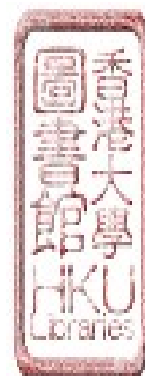
First of all, the system-changing tool that we can absorb from Taiwan is the management mode to have a dedicated and centralized body to take up the role of policy formulation, coordination and execution. The proposed authorized body may provide one-stop services on columbarium and other funeral matters like to build, operate and manage columbaria with vested sites. As these duties are currently scattered among different government departments, a dedicated and independent body is effective in performing all these functions. The proposed ultimate goal is to establish a statutory body like URA, WKCD, AA and HA, etc. with government initial financial injection to play the role as a central service provider. This proposed statutory body can then be financially sustained by its own operations and by providing funeral-related services. The composition of the proposed statutory body, like other statutory authority in Hong Kong, would include the majority of non-official members, some relevant official members and would be led by a CEO outside the Government. As the setting up of a statutory body involves a long process including public engagement exercises, drafting



of bills and legislations, etc., the Administration may first consider setting up a committee to offer views and have in-depth discussion on the formulation of long-term columbarium policy as a transition. The nature could be similar to that of the existing Long Term Housing Strategy Steering Committee to play an overarching and high-level advisory and advocacy role on columbarium matters. With such initiative, problem of vague scope of powers and responsibilities of departments, the lack of long-term columbarium policy and coordination may be rectified.

The system-changing type in acquiring new columbarium sites which we can adopt from Singapore is to engage more NGOs and religious bodies at suitable intervals like in building new columbaria. Though columbarium has long become a necessity for Hong Kong citizens, it is not a must that it should be provided by the Government. If columbaria are built by religious bodies or charitable organizations on their own lands, the Government can definitely save the time in searching for suitable virgin sites and going through all sorts of complicated and time-consuming procedures like securing financial support from the Financial Committee of LegCo.

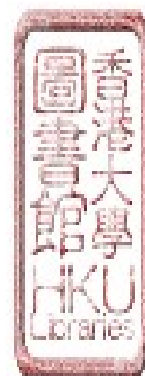
Another strategy that the Government has yet to give a try is adopting the tool of mandate to strictly require users to shift from using niches to sea scattering, GoR or IMS. In Singapore, buried bodies are required to be exhumed and scattered over seas. In Hong Kong, the Administration may model on the 15-year rule of Singapore to strictly require those human ashes which have been stored over a period of time to be scattered over seas or regulate those obsolete niches so as to spare spaces for others. The



Government may also consider adopting a first-in-first-out system so that every deceased would have opportunity to be stored in niches and then ultimately all human ashes would be required to be scattered over sea or GoRs. Of course, discretion should be given to those who have religious background or special reasons. And most importantly, the Administration would have to pay extra attention on the public sentiment and the political atmosphere to adopt such a relatively authoritative measure; and sufficient public engagement exercises should be carried out beforehand. Maybe this is also the reason why the Government has not yet opted for this policy option.

Beside the above new policy directions, some other measures in Singapore and Taiwan and existing policy options in Hong Kong are also feasible and worth working further. Actually, the same policy combination can also viewed from two facets, the Government may have tried one channel, but they can also use the policy tool in another way round. For example, the prevailing inducement tool adopted by the Government is to build favourable facilities around new columbarium built; to provide incentive to those who return niches; or to provide more economical alternative means of handling cremains and these are all positive inducement. To use inducement the other way round, the Government may adopt negative inducement like increasing the management fee of the columbaria so that users may shift to other cheaper means like GoR driven by the monetary factor. So different forms of policy options can perform different policy functions, the other form can be used to strengthen the existing measures or even as a better alternative.

Last but with great importance, is education. The capacity building in

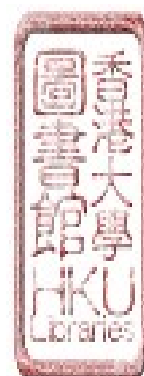


Taiwan has been a wide success. The Taiwan government has been dedicated to improve its funeral agency's quality and enhance consumers' protection and awareness of environmental protection. The promotion of alternative means of handling cremains in Hong Kong should be strengthened tapping on Taiwan's experience. It is important to raise the awareness of citizens that it is everyone's responsibility to maintain a sustainable environment for our descendents and to get rid of the NIMBY mentality. In short, the Government is recommended to deliberate on the above new policy options to find its ways out in relieving the columbarium shortage. Meanwhile, some of the existing measures from different policy tool perspectives are also found effective and should be reinforced.

Concluding Observations

The project recognizes the problem of columbarium shortage in Hong Kong and also the efforts of the Hong Kong Government in dealing with the problem. The Government has proposed to build columbaria in each of the 18 districts, improve the design of columbarium facilities, promote alternative ways of handling cremains and regulate private columbaria by introducing licensing system. Notwithstanding all these efforts, the normal waiting time for a niche is still around two years.

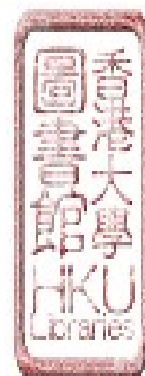
Through the integrated and multi-dimensional analytical framework with mandate, inducement, capacity building and system-changing as backbone; and through comparison with Singapore and Taiwan, it is observed that the Hong Kong Government has been exhausting various policy options in



relieving columbarium shortage. Yet, the Government is suggested to explore the possibility of the missing links – apply system-changing on new columbarium facilities (i.e. establishment of a dedicated and statutory body and engagement with NGOs and religious bodies to build new columbaria) and apply mandate on alternative ways in handling human cremains (i.e. adoption of rules like 15-year rule in Singapore).

To sum up, columbarium is basically a service which is available, accessible and used but just it has to be replenished and it has by nature becoming a public good which requires government intervention. Apart from the missing policy options, the Government is also recommended to come up with some more measures to address the fundamental issue – lands scarcity. Undoubtedly, some policy makers or think tank may have propose some creative measures like examining the possibility to build columbaria in the mainland China for Hong Kong citizens; or converting obsolete industrial buildings into columbarium facilities, etc. Nevertheless, one may need to consider thoroughly the nature of the proposed measures and the implications when applying in the Hong Kong context. The analysis through policy-tool approach in this project has drawn up for the Government a clearer picture on their policy options used; other options that they can have a trial; and some existing options that can be used in the other way round or reinforced. The Government is recommended to use the above framework to review their policy choices in a careful and efficient manner.

~ END ~



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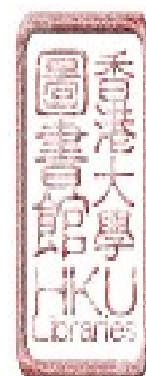
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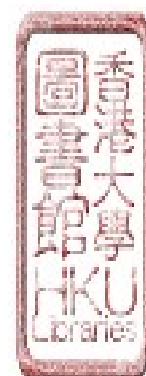
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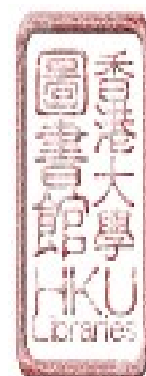
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